



## Environment, Housing and Infrastructure

### Scrutiny Panel

#### Quarterly Hearing

### Witness: The Minister for the Environment

Tuesday, 5th March 2019

**Panel:**

Connétable M.K. Jackson of St. Brelade (Chairman)

Connétable J.E. Le Maistre of Grouville (Vice-Chairman)

Deputy K.F. Morel of St. Lawrence

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

**Witnesses:**

Deputy J.H. Young of St. Brelade, Minister for the Environment

Deputy G.C. Guida of St. Lawrence, Assistant Minister for the Environment

Ms. L. Magris, Director of Environmental Policy

Mr. W. Peggie, Director, Natural Environment

Mr. K. Pilley, Director, Planning Policy and Historic Environment

Mr. Y. Fillieul, Interim Private Secretary to the Minister for the Environment.

Mr. A. Scate, Group Director, Regulation

Mr. T. Knight-Jones, States Veterinary Officer

Mr. S. Skelton, Director of Strategy and Innovation

[11:34]

**Connétable M.K. Jackson of St. Brelade (Chairman):**

Welcome to the Environment, Housing and Infrastructure Scrutiny Panel and our quarterly public hearing. I will ask everyone to identify themselves. I will start off with ...

**Deputy K.F. Morel of St. Lawrence:**

Deputy Kirsten Morel. I am a member of the panel.

**The Connétable of St. Brelade:**

Mike Jackson, Chairman of the panel.

**Connétable J.E. Le Maistre of Grouville (Vice-Chairman):**

Constable John Le Maistre, Vice-Chairman of the panel.

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

Sadie Le Sueur-Rennard, Constable, and just a panel member.

**Director of Environmental Policy:**

Louise Magris, Director of Environmental Policy.

**Assistant Minister for the Environment:**

Gregory Guida, Assistant Minister for the Environment.

**The Minister for the Environment:**

John Young, Minister for the Environment.

**Group Director, Regulation:**

Andy Scate, Group Director from Regulation.

**Interim Private Secretary:**

Yannick Fillieul, Private Secretary to the Minister for the Environment.

**The Connétable of St. Brelade:**

We will bring in Willie Peggie over there when the time ...

**Director, Natural Environment:**

Director for the Natural Environment. Thank you.

**Minister for the Environment:**

Chairman, there may be a couple of arrivals for a later item on the agenda.

**The Connétable of St. Brelade:**

Good. Our first point really is to pick up on the Common Strategy Policy delivery and priorities and by asking how you intend to deliver on the environmental objectives set in the Common Strategy Policy.

**Minister for the Environment:**

Certainly it is an objective. I am obliged to follow a plan, which is worked out by the Council of Ministers. You will be pleased to see the paper talks about “turning words into action” which I could not buy more into. This was the paper that went to the Council of Ministers. I understand that the Chairmen’s Committee had a presentation on the detailed approach of that methodology last week, so I was conscious that I did not want to take up your time in covering a lot of duplication ground, but in a nutshell we set a series of dates by which that material was due to get before the States and its approval, which I can go into if you would like.

**The Connétable of St. Brelade:**

I am quite happy that we have got that, if it is coming to the States, but I suppose it would be useful to know what timescales you are working to.

**Minister for the Environment:**

All right, Chairman, thank you. There is an engagement session due on 7th June this year and then there is a target date to launch the draft plan on 16th July this year. The Scrutiny period allowed is from 16th July to 12th November; that is 17 weeks. That is for Scrutiny as a whole. Then we have a target debate of 12th November in the States.

**The Connétable of St. Brelade:**

That is a reasonable time for us to look at things.

**Minister for the Environment:**

Obviously there is going to be a lot in there, because it is not just policies, it is action plans and also the budget. It is all in there, so it is going to be a very complex task. That is the goal we have set ourselves.

**The Connétable of St. Brelade:**

Do you have any particular priorities?

**Minister for the Environment:**

Yes. There is no question about my priorities, and I had meetings with the officers last week setting out what they are. They are, first, to make sure that we get joined-up planning for the urban areas, particularly what I would describe as greater St. Helier, because I do not think we

have had a process where we can have a targeted plan that sets out and that integrates all the various aspects, the South West St. Helier Plan, the Port Master Plan, the North of Town Master Plan, the waterfront and so on. It has all been very piecemeal and I personally am not very content with the fragmentary piecemeal approach that we are taking on decisions of running States assets and using those assets. I think that all has to be part of that plan, so having a process, that is quite a big resource task, but that is one priority. Obviously in the environment, I suppose it is both urban and general, the issue of having plans to integrate and improve the situation on traffic and transport, because I do not believe that we can achieve our environmental objectives unless we look seriously at what we can do manage our traffic and our vehicle numbers comprehensively. Part of that work will have to relate strongly to the proposal I put to the States at the last budget for the Minister for Finance to look at environmental taxes and charges, because I think as levers to some of those policies and actions, they will require funding approaches. I think it is well-known that there are certainly going to be difficult choices, and looking at our financial forecasts, we will have to make those. So I will push for those priorities strongly.

**The Connétable of St. Brelade:**

Can I just take you back to overall planning? You mentioned master planning, if you like. How aligned are you to the arm's length organisations? I probably refer particularly to Ports. We have seen various iterations of Port Master Plans. Are the arm's length organisations aligned in terms of timescale to what you might be doing?

**Minister for the Environment:**

Not yet, but I think there is certainly a recognition in the Council of Ministers that we need to get to that point. Within our Government organisation, that task of putting all those bodies together sits within the structure. I personally have had one meeting only with the former Ports Director and their team. I felt very positive after that meeting that there was an understanding of exactly what you have said, but unfortunately we have lost Mr. Bannister and the jury is going to be out on how well we can integrate. But if you want to talk more about that, Mr. Scate has had a series of meetings with that. I think at the moment we are an organisation in transition. I would love to be able to sit here and say all this is coming together, but what we are doing is that we are in a process of setting up a framework to achieve these things. It is not my natural style, I have to say, but without working within those planning methodologies, I think it is likely we will not succeed, so I am giving it my best shot.

**The Connétable of St. Brelade:**

So there is a St. Helier plan. Perhaps you are working with the Constable of St. Helier on that?

**Minister for the Environment:**

The Constable of St. Helier is less patient than I and he wants to see early action on the future St. Helier group. The Constable's view is that we should resurrect the previous structures that were in place. My concern is that they did not integrate, as I have said, the Waterfront Plan, did not integrate the North of Town Master Plan or any of these elements and that is what I want to see happen. We had hoped that we were ready to go public with the south-west St. Helier development framework. That was due to take place in January. The advice I have had from the strategic officers was that it was felt that it was not comprehensive enough to go out and so that work is still going on. I would have to ask Mr. Scate for an update on when that will be coming.

**Group Director, Regulation:**

Yes, so the civic relationship with Ports has been a positive one with the south-west St. Helier working. In the previous Government, we did a number of workshops with community groups and Ports and S.o.J.D.C. (States of Jersey Development Company) and others. We based those at the Radisson. We have done quite a bit of work in terms of the South West St. Helier Master Plan. We obviously have gone into our new Government, new structures, so the work now is sitting within our S.P.P. (Strategic Performance and Population) Department. That is Louise's department. As the Minister said, there is work that is ready. I think we are effectively just revisiting that and making sure everyone knows and is now happy in that area. I think we have got to get that work published because it sort of encapsulates the area of everything from West Park all through the way through to the tunnel, involving some of the Port estate as well as public estate that both J.P.H. (Jersey Property Holdings) own, as well as S.o.J.D.C. There is quite a bit of work that is being done with Ports around how they see their Port estate moving forward. Some of that involves redevelopment, some of that involves operational Port reconfiguration for the future. But yes, as the Minister said, I guess we are just in a bit of a hiatus, making sure that we have other bits of the organisation that are happy with that before we publish it.

**Minister for the Environment:**

Could I just add one thing? I think it is very important that that work also links into the Island Plan, because in my vision, the Island Plan has not given us that top-down creative look at the vision and therefore I think that absolutely needs to lock in, and therefore the timescale for the Island Plan, which we are talking about later, is set to try to achieve that.

**The Connétable of St. Brelade:**

You mentioned the effect on transport and the linkages with transport and perhaps air quality and so on. I seem to recall North of Town Master Plans and perhaps it is pertinent to the way we will take discussions later, but in terms of transport policy, how would you link that into the Island

Plan? Clearly there is a crossover between what you are going to be doing with Infrastructure, Minister.

**Minister for the Environment:**

I am sorry, I cannot give you a definitive answer. It is going to rely on the groups that we have put in place. Each of the themes has got a group and me and Deputy Kevin Lewis are members of that group, obviously as Minister for Infrastructure. Not only the officers you see sitting around the table will be there at those groups producing that work, but also the officers that advised the old D.f.I. (Department for Infrastructure), the former D.f.I. officers who advised the Minister for Infrastructure. We need to bring those views into alignment. From my point of view, everything I am hearing from every source is that whether it is in the Island, whether it is off the Island, whether it is externally, the issue of vehicles and managing them and dealing with air emissions and dealing with the effect on urban areas is a huge issue of public concern. I believe that is something that has to be in the priorities.

**The Connétable of St. Brelade:**

Indeed.

[11:45]

**Director of Environmental Policy:**

It is worth adding the process around the prioritisation of the actions that will come within the Government plan. As the Minister has explained, the Government plan is being populated at the moment with the ministry working groups and the officer working groups, which most certainly involves all the representatives from the different old departments, both policy and subject matter experts. As the Minister says, the recognition around transport is very high. What will happen with the Government plan is it will lay out the 3 years of work that is required to deliver on the actions in the Government plan. That will be owned by the Council of Ministers and it will be used - and we are all getting very processy here, but I am sure you understand it is important, because is the new way it is going to be working - but the delivery of the work and particularly policy development, which of course transport is going to be a new piece of policy development, will be that the Council of Ministers will own what is going to be called the policy pipeline and that will be a way to prioritise the resources that will go towards new policy development and timing it, resourcing it, making sure that we have got the right timescales to hit the outcomes we would like to. That work after the Government plan is agreed, and in parallel with it, will begin to prioritise which pieces of policies get attention to be developed first and how they will be scoped, designed and delivered over the course of this term of Government. Echoing the Minister's understandable sort of frustration, that we seem to have been a while in this, it is because of the transition and new structures that we are

developing, but behind the scenes there is an awful lot of that work going on. In particular, the Government plan is going to be the first taster that everyone will see externally about how that is all going to work, so I appreciate it is going to probably take until June for the Scrutiny Panels to be able to see the final document, but if I can reassure you that the sort of areas the Minister is talking about feature very highly. But the importance is getting them resourced in terms of the policy development in good time.

**The Connétable of St. Brelade:**

I think one of the reasons for my directing that question, because an area we wanted to look at was the Sustainable Transport Plan, which goes back to 2010, and how that might be updated. I presume that would be enveloped by all that?

**Director of Environmental Policy:**

Yes, absolutely. You are absolutely right, the S.T.P. (Sustainable Transport Plan) was problematic. It did not deliver the outcomes we would have liked in terms of reducing transport, particularly at peak time, because that was the metric, peak time congestion, and we did not manage that, which is why the recognition is we need to do more. There will be a lot of spatial elements to the new transport strategy which tie into the Island planning framework, but there probably is a need to readdress the S.T.P. as a document and as an output itself, particularly focusing on active travel, because the roll-on benefits around health and wellbeing from more active travel are more than recognised. So that will have to be resourced and there will have to be a timeline around that. As the Minister says, we cannot tell you exactly yet, but it is certainly in the Government plan as a priority, because there is a lot of recognition. If I could just add one thing, we are talking here about the environment theme within the C.S.P. (Common Strategic Policy) and the Government plan, but there is another workstream called income, which is very important from an environmental perspective, because the income workstream, which is supported by the Policy Development Board, will be looking at all sources of income for Government. Within that, there is now a recognition that one of the things we will be looking at is the importance and role that environmental taxes, charges and levers can play in changing behaviour or are they income, or are they behaviour changes with the declining revenue, are they hypothecated, are they not? All the questions that we struggled with over the years and the relevance here to the transport question is that car-parking charges have always been a bit of a sticking point as a lever in behavioural changes. This Income Policy Development Board will now be taking on the green and hairy mantle of looking at how fiscal levers can play a role in behaviour change. Some of the things that we have got legacy issues with around waste charging for commercial waste, car-parking charges as a behaviour nudge and many others, plastic bag tax, for example, the Income Policy Development Board are looking to put in place a framework to be able to have those discussions and see, as a policy driver, how those can be used.

**The Connétable of St. Brelade:**

That will be challenging for the Minister to bring forward.

**Minister for the Environment:**

Yes, and of course I am not on that group, you see? I brought forward the proposition and I am pleased with what Louise has said, that it has been taken on board. We are obviously all very process-bound in this, which is not my natural tendency. I am much more pragmatic and opportunistic, but nonetheless, we have got to work within this framework. I think what needs to happen, there is so much in this Government planning process it may be the Chairmen's Committee might sit and consider having some sessions with the lead officers, because those lead officers are new to the Island. You will be seeing one of them later on, hopefully on the Island Plan issue, but they are masterminding this. There are at least 3 top-level individuals who are working on this. I think this will cut right across not just the environment theme, but all the themes.

**Deputy K.F. Morel:**

Sorry, just a couple of questions, just to take you back on to the South West Town Plan. I just wondered the extent of that area. You mentioned going across to some of the Port areas. Does it include Cheapside and that sort of aspect as well?

**Group Director, Regulation:**

No. Effectively if we think about West Park, Victoria statue, the southern end of People's Park, if we take a line along the old Esplanade, effectively to Weighbridge and to the tunnel, and then everything south effectively to the end of New North Quay, La Folie, that sort of area.

**Deputy K.F. Morel:**

So very much the coastal strip, basically?

**Group Director, Regulation:**

Yes, effectively from the edge of town - old town, of old - to the middle of the Port estate and including the waterfront area.

**Deputy K.F. Morel:**

Thank you. That is all. I just wanted clarification on that. The other one, Minister, was just to pick up on what Louise was just saying: what do you understand as environmental taxes and charges and what does that mean to you?

**Minister for the Environment:**

The 3 areas that I put in the proposition are 3 areas that I wanted to look at, but they are not confined to those 3 areas. One of them, I feel that in order to manage waste more effectively - and that includes the whole programme of work with dealing with plastics - we need to have some fiscal and charge measures that we do not have. It is very difficult to produce changes in behaviour, so in terms of waste management, I think that is something which again would need to be revisited. Then I think there is the issue of what our policies are for encouraging low emission and zero emission vehicles with electric vehicles and so on. Again, unlike other places, it is not feasible for us to - and I would not entertain it - do capital subsidies to encourage that, but nonetheless, we do not have policy levers. We have got a declining tax base on fuel, fuel duty is on a decline, so there is no question that we have to look at the fiscal and the charging arrangements for vehicles. That includes car-park charges, it includes fuel tax, it means looking at V.E.D. (Vehicle Emissions Duty) again and a whole raft of measures, because I am not convinced that the changes that were made - though well-meaning and well-intentioned - have been fully effective.

**Deputy K.F. Morel:**

So you only see environmental taxes as meaning taxes which change the behaviour of people ...

**Minister for the Environment:**

Yes, I think changing behaviour.

**Deputy K.F. Morel:**

... so it is not particularly taxes which are then ring-fenced for us to improve the environment?

**Minister for the Environment:**

Ring-fence is an interesting thing. I think that is a debate to be had. I am slightly puzzled about why we have got this resistance to ring-fencing. Certainly it is something that that view has been put to me by the officers that historically there has not been a preparedness to look at ring-fencing those charges, because I worry about if these charges and taxes are introduced to give us policy levers, if all that happens, those funds just go back into the general spending pot, it seems to me that undermines the objective.

**The Connétable of St. Brelade:**

It is far more palatable I think for the public to ring-fence, so they can see where their taxes ...

**Minister for the Environment:**

Yes. I give you the classic example - it is not within my area, but absolutely for me - having a health service where we ring-fence the funds and the sources of it. I just cannot see how anybody

- this is a personal view - could produce an effective health service in this century with the liabilities we have got unless you have arrangements like that. But nonetheless, yes, so I need to be persuaded against the idea of having ring-fenced structures. My understanding of how the new Government plan is going to be is that there is going to be flexibility between revenue spending, income generated and capital budgets. That is new and whether we can succeed at that depends entirely on the new Public Finances Law. I am on the ministerial group for that and it is in a very advanced stage. I am certainly happy, because obviously that is my professional background as an accountant, and I have worked in that area for donkey's years, but nonetheless I can understand. I think that would enable us to be much more targeted in the Government plan of how and when we use our monies.

**Deputy K.F. Morel:**

Could I just ask as well, my last bit is the word "nudge" has appeared, Louise just used it, it has appeared in a document I read yesterday.

**Minister for the Environment:**

Nudge? Oh, right.

**Deputy K.F. Morel:**

Nudge is very Cameron, using taxes to change behaviour. Is this something we can expect from this Government, that you understand nudging, where the Government decides it wants a behaviour and a tax is asked to get that behaviour?

**Minister for the Environment:**

I am not usually noted for reading David Cameron's papers. I tend to probably look in the other direction. But no, I mean, nudge ... I think the key thing about Government services and funding, the key issue is that within our low-tax environment, we have less policy levers to be able to achieve social and environmental objectives. I think therefore it seems to be a sensible agenda that we look at when we structure the charges systems that we recognise that we want to encourage. We want to incentivise and provide incentives for people to adopt behaviours that give us those social and environmental gains.

**The Connétable of St. Brelade:**

Thinking of which, really going back to electric cars, as alluded to before, we are not very good in the Island in terms of the infrastructure, which I appreciate is not your department, in providing, shall we say, the charging mechanisms in terms of electricity charging mechanisms for the vehicles in public car parks. Would you see there being room for us doing better in those terms?

**Minister for the Environment:**

Absolutely, yes. I am aware of a number of things. I understand from the conversations I had with Chris Ambler that the Jersey Electricity Company have offered to put charging points in I think at least one of our car parks in Pier Road. I do not yet know why that has not been taken up, because as I understand it, I am not ...

**Deputy K.F. Morel:**

There is a charging point at Pier Road. There was a car parked in there this morning.

**Minister for the Environment:**

No, more, having an increased number.

**The Connétable of St. Brelade:**

But realistically though, we have I think 3 or 4 maybe - if that - in a car park with 700 spaces. It just does not seem sufficient.

**Minister for the Environment:**

I think there are 2 things I have asked for. I have asked for our new building regulations, when they are being revised, to include that where it is possible within new residential units, that our building regulations, our building bye-laws, require the provision of that in new dwellings. It cannot be done in every one, but where there are onsite car-parking spaces, I see no reason why that should not be put into our building regulations. I understand from talking to people in other jurisdictions that is being done elsewhere. I think it is a positive thing we can do. Of course the other point is I think this probably takes us into the big area of policy which we have got on our agenda later, which is our renewable energy policies. In order to progress the update of renewable energy, carbon-free energy, as it were, we do need to have agreements with our electricity provider with policies and charging mechanisms and structures in place to encourage that, because when you stand back and look strategically, with the technology of electronic vehicles now, the range of them has now dramatically extended. The cost of these things are coming down, so if people have access to these charging points, then it is possible that we could see a greater take-up by members of the public. I think talking to the car dealers, I have asked them - it is not my ministry, but I still talk to people - and they say that at some point there will be a decision made to no longer supply diesel and petrol vehicles.

**The Connétable of St. Brelade:**

Has the Government got a defined position with regard to that?

**Minister for the Environment:**

No. On renewable energy, I think that item is possibly the next item agenda. I think we see it as related strongly to the report that we have just published with NERA. I do not know if you want to go into that item, do you, Chair?

**The Connétable of Grouville:**

Yes. Were you happy with the result of the NERA report?

**Minister for the Environment:**

I am not surprised. I was not party to the decision to do that piece of work. This was before I was elected into the States. I think that we have ended up with a very comprehensive report which probably will disappoint the Member that brought it to the States, because it does not give the answer maybe that was hoped for, because what it says is that when you have got an electricity network, that people that use the network or access it do need to recognise that that investment has got a cost and it needs to be paid for. That was the intention of the electricity provider. I know from my work in Alderney and other places this crops up all over the place, when more people that take on renewable energy into a network and that reduces, if you like, the supply, but the network cost is still there.

[12:00]

What that report did was say that in principle the charges are justified, but they did say that the methodologies used were not ideal and therefore need to be refined. That is an issue that that report highlights. Louise and I are in discussions with Jersey Electricity about how we can take that forward. I think that will lead to major policy issues about renewable energy and how we deal with the electricity provider. I think it should be recognised that our electricity law is ridiculously out of date and that there is a commitment to review that law. Of course we are dealing with a company which is what, 63 per cent, Louise, owned by the public, but it is private shareholdings, which does restrict, I am advised, our ability to set policies for the company because of stock exchange rules and the private shares.

**The Connétable of Grouville:**

There is currently no incentive whatsoever to produce renewable energy, is there?

**Minister for the Environment:**

I think it is an agenda of work that we all want to see. Maybe I can turn to Louise. Louise is the expert on this. Chairman, could I ask Louise to talk on that?

**The Connétable of St. Brelade:**

Indeed.

**Director of Environmental Policy:**

I understand where you are coming from. I think the takeaway from the report is that the current model of tariff structure within Jersey Electricity is not conducive to subsidising renewable energy, which is what you see in other places. Of course you have read the report, you understand what it said, which is that there is a component to every kilowatt hour you purchase which is fixed and variable. If you are not buying a kilowatt hour, you do not pay the variable because you are not buying it, but the contribution has to be made to the fixed component otherwise you cannot invest in the grid. What I am sure you have understood from the report is that in Jersey Electricity's current operating model, it is reasonable to charge what they are charging, because they have to protect the grid. People who are generating their own energy but not off grid are relying on the standby, and that is a service that has a cost. NERA looked very, very closely at the cost allocations and said Jersey Electricity's methodology is broadly okay. What it does do is it calls into question the structure of charges being both fixed and variable. This is not a problem that just Jersey alone is facing. Most jurisdictions - and again, NERA picked this up - have this problem, in that how do you incentivise intermittent energy sources if that is what you wish to do, how do you incentivise those while making sure that the grid is invested? Because we do need an invested grid because we have to have backup, as we transition to a whole new future where there is a lot of more intermittency in the grid because people will have more generation. Your question or your point there, Constable, about whether there is kind of an incentive, the reality at the moment is that without a standby charge, there is a cross-subsidy being applied to people who wish to generate electricity. If they are asked to pay the true cost of generation, the cost of installations is so high as to make the paybacks a bit longer than people would like and maybe they will not invest. What Jersey Electricity will say - and I am not here to speak for J.E. (Jersey Electricity), but obviously the report picks up on it - is that at the moment, when you take that implicit subsidy away currently, it means that these technologies are less attractive to people. The next step for Government is to say: "Okay, we accept that there is a cost. Should the generators themselves pay that cost?" and if they do, it is probably not going to be very attractive to them because of the cost base, or is there a policy lever that the Government should have, something or other that will help defray those costs in some way in order to make people wish to invest in those renewable energy installations, mostly P.V. (photovoltaics) is what was talked about in the report. It is a situation that is difficult, because everyone is dealing with it. It is even more complicated in Jersey, whereby most of the electricity coming in is very low carbon, so you have to then say what would society want to buy if it was subsidising in some way embedded generation of low carbon with nuclear electricity? There are lots of reasons why you might choose to do that, security of supply, diversification of the marketplace, but what cost do we consider is fair and who should bear that cost? That is what the renewable energy policy will have to look at.

**The Connétable of Grouville:**

In the U.K. (United Kingdom), renewable energy is subsidised by the Government.

**Director of Environmental Policy:**

Yes.

**The Connétable of Grouville:**

Everybody else who pays their electricity bill puts a penny into what the ...

**Director of Environmental Policy:**

Yes, that is right. You are absolutely right, and that has led to increased cost to the consumer. What J.E. currently is saying is: "We, J.E. as a commercial company, look for the lowest-cost provision of electricity to members of the public and therefore we are going to charge everybody for backup" i.e. the standby charge. What the U.K. Government has said is: "The high carbon electricity that is being produced is not good for society, therefore we will defray the costs of having more low-carbon electricity from embedded generation and we will defray those costs across society by compelling the electricity providers to buy that in and they subsidise in that way." You are right, the U.K. Government have made that decision, that that is what they wish to do. The situation here is not that yet, because what J.E. are being asked to do is charge the absolute minimum or the right cost for generation to the right people at the moment. It may be that the renewable energy policy changes that and says: "No, do something different" but in the absence of that, J.E. came up with their standby charge.

**Minister for the Environment:**

I think it also needs to be recognised that in the U.K. they are working within a regulated market.

**Director of Environmental Policy:**

Yes.

**Minister for the Environment:**

I think that is a significant issue, but anyway, a couple of actions on this. Obviously the report has not long been out. It is long in the gestation, because we tried to make sure that people were happy with it, both the author of the proposition to the States, Deputy Labey, and also J.E. We have arrived at that position, where they recognise it is safe, it is a strong, reliable report, I believe. We have got meetings set up. There is an energy forum we have, which is going to meet very shortly, in a couple of weeks, which is the first time they have had a chance to talk about that issue, and then we have got a meeting set up with the J.E. We tried to get it set up before today's

meeting, but unfortunately it just has not been possible, but nonetheless there is a series of processes. Again, we do not have too many levers here. The law is old. I am not sure which Minister is responsible under that law, but it is certainly not me, but we really want to make sure we can move towards more renewable energy. J.E.'s position is straightforward: their model at the present is that they produce low-cost energy, they have got security of supply and it is low carbon because it comes from those certified sources. That is the model and their position.

**The Connétable of St. Brelade:**

Just to pick up quickly before my colleague comes in, do you think the Minister for Environment should be the Minister sitting on the board? I suspect it is the Minister for Treasury at the moment.

**Minister for the Environment:**

Rather than go in on an hoc basis, I think for the Minister for the Environment to be able to influence all these directions, not just energy, but in waste and all sorts of other areas - vehicles - those environmental issues can only be fulfilled, the public policy objectives, if Government has got the wherewithal and the legal vires to do it. However, it is not about me personally, it is about having a structure where it works. My concern at the moment is we have got a complete mismatch - and I have said this to you before, and it is still the case - between the ministerial structure and the way our target operating executive model is set up. There is no proper match. That, I think, has to be addressed in order to make sure that when we get these actions in the C.S.P. and all that that there is absolute clarity about where are those legal powers. Just to illustrate, at the conference in Glasgow I went to recently, the Minister for the Environment or the president of their committee in Guernsey asked me what date we were going to adopt for ending petrol and diesel vehicles in the Island. I said: "Well, it is not my role." That is just one issue, because we know cities in the U.K. and in Europe are all setting those goals. That is an example.

**The Connétable of St. Saviour:**

Could I ask you then, could we go back to something you said before, again what you have just mentioned, electric vehicles and doing away with petrol and diesel? The Les Quennevais School has been built. You obviously have a car park, you have got staff, you have got pupils who will be having vehicles. Are you putting electric inputs there in a newly-built car park?

**Minister for the Environment:**

You have caught me out, Connétable. I have to say, I do not know. I am sorry about that. Obviously our capital projects are led via our Minister for Infrastructure. Could we maybe note that question and come back?

**The Connétable of St. Saviour:**

Yes, because you have said about using the car parks and about putting these ... I do not know what you call them, where you drive your car and you plug it in. Are you not going to be doing that at a new school? Because if you are hoping to do away with petrol and diesel vehicles, everybody is going to be driving electric, so if you have not already installed it, surely then you are going to have to go back to the drawing board and tear up the concrete, tear up tarmacadam to put these lines in. Surely now would be a good time to do it.

**Minister for the Environment:**

You are absolutely right. If we are in here for a while, maybe I could ask one of the team to send messages out and we will get the answer back before the close of this session. I think Louise knows.

**Director of Environmental Policy:**

I sort of know. I totally take your point on board. I cannot talk about Les Quennevais specifically, but I think there is an issue. You are absolutely right. What I think is your point is that Government should be leading the way, we should be demonstrating as best as possible an outcome with new projects and demonstrating what can be done best. I think that is where we are going with that question. I would agree completely; I think we would all agree completely, in theory. I think some of the difficulty we have is the disconnection between capital money and revenue money and projects, so officers whose job it is to build new schools or whatever the portfolio management issue might be, is that best, most easily-returned cost to the taxpayer and best use of money, which often means the lowest-cost solution or a version of the lowest-cost solution. What you have with the sorts of things you are talking about - and a good example would be P.V. on the roof or using ground-source heatpumps to heat a building - is that often upfront those costs are more to install and then over the course of time they cost less, and you get a crossover and you get the return on the investment. There is an issue currently with the way our capital programme and finances are managed in that frontloading, with big investment at the front that pays back over the course of the project is harder to justify in our current financial directions. There are occasions where I am sure officers would like to do more than they can, so that is sometimes a problem. Now, this is something that is going to be looked at, because it is not right that that is the case. We should be doing the best we possibly can. The Minister for Infrastructure I am sure would want to talk more about this. I do not know about Les Quennevais. I understand there was definitely a willingness to put P.V. on the roof. For example, St. Martin's School does, but I think frontloading projects with more environmentally obvious solutions is sometimes stymied by the capital cost of it upfront as opposed to the revenue costs of running it. That is a problem with our financial system.

**The Connétable of St. Saviour:**

So it is better, in your eyes - well, not in your eyes personally, but in the eyes here - to tarmacadam over a field, put everything in for car parks and maybe in 20 or 30 years decide: "We are not going to have petrol vehicles or diesel vehicles, so let us tear up the car park and let us put some more money in and let us get an electric cable through so everybody can charge their cars"?

**Director of Environmental Policy:**

I certainly would not say that, no.

**The Connétable of St. Saviour:**

No, I am just a farmer, but this is what I am getting, that idea. I think if you have got a clean car park, you could say: "We are going to install maybe 2 or 3" and then you can elaborate from that.

**Director of Environmental Policy:**

Of course.

**The Connétable of St. Saviour:**

But you cannot turn around to the public and say: "You cannot have a petrol car or a diesel car" if they have got no way to plug it in at Les Quennevais.

**Director of Environmental Policy:**

Of course.

**Minister for the Environment:**

No, you are absolutely right, Connétable.

**The Connétable of St. Saviour:**

If we are starting with a new vehicle, and the same I would think that they are going to be seriously thinking about the hospital, if you are going to have all these wonderful grandiose ideas that we are doing away with petrol - not in my lifetime - and diesel, these things should already be on the cards, in my mind. As I say, I am just a farmer.

**Director of Environmental Policy:**

I think your point is absolutely well-made and what we are talking about is a transition from a current system of the way the world works to embedded generation of renewable energy and a more smart grid. That will require different infrastructure. Your point is absolutely correct. At the moment, on occasion, our financing rules do not support those decisions to be made suitably. What has to happen is we have to change that paradigm. That is what will have to happen.

**The Connétable of St. Brelade:**

We are looking really towards future-proofing a lot of these things.

**Director of Environmental Policy:**

Yes, exactly.

**Minister for the Environment:**

I think we are talking very long term. There is no power or no intention to make those decisions yet, but you asked a question: "Can the Minister achieve these things?" Well, we have to have new policies, set a direction. I think the public are already starting there. I think there is no question. Everywhere I go, the public are pushing for much more positive environmental practices and I think they are taking up electric vehicles. I think we want to encourage that. But we will find the answer on Les Quennevais School. The building regulations proposal that I can make, that will work. That will ensure that all new buildings have that in them.

**The Connétable of St. Saviour:**

That is good, because you want the public to go along with you.

**Minister for the Environment:**

Yes, absolutely right. I think you are spot on, Connétable, spot on.

**The Connétable of St. Saviour:**

So you have got to help them.

[12:15]

**The Connétable of St. Brelade:**

We have got the NERA report in-depth as to why the J.E.C. (Jersey Electricity Company) should charge for their various grid aspects. What do you think of the latest price rise proposals vis-à-vis the profit it is showing?

**Minister for the Environment:**

I was a bit shocked. My personal view is that the Island is horrendously expensive already. I am seriously worried about income inequality in Jersey and the cost of living. It is all very well to say: "Look, it is inflation, you have got no choice" but I do not feel comfortable with that at all. My first reaction when ... and I have not looked at the paperwork on it. Wow, do we really need to do this? We must get a shareholder benefit off J.E.C. I do not know, how much do we get, Louise?

**Director of Environmental Policy:**

I think it is £5 million dividend.

**Minister for the Environment:**

Maybe that is not all that great, because what is important is that J.E.C. are able to invest in their network. That is important.

**Deputy K.F. Morel:**

Does it concern you that household services and utilities are one of the main drivers of inflation at the moment, most of which are controlled by the Government?

**Minister for the Environment:**

It would concern me. I have to say, I have not studied these figures in detail, but one thing I did notice, which has shocked me immensely, is the fact that the increase in rental is consistently higher ...

**Deputy K.F. Morel:**

Nine per cent.

**Minister for the Environment:**

... than our over inflation rate. That is truly shocking. I think my concern is that we are fuelling that. We have got a housing crisis and certainly I am very pleased that the Chief Minister has put me on his policy board. In fact, I am on the population board and also inputting into the housing one, because these things are related. My understanding was that the rental increases were one of the principal factors that were driving our unacceptable inflation rate.

**Deputy K.F. Morel:**

And household services and utilities.

**Minister for the Environment:**

This took me completely by surprise. What happened is, just like everybody else, I get the press release from the comms department: "Here we are, this is going out. This has been done." "Who made that decision?" "I do not know."

**Deputy K.F. Morel:**

Sorry, Minister, can I ask, do you think the structure of J.E.C., being part-owned by people, by the stock exchange, as you have alluded to earlier, stops the Government using it in a more flexible

manner to enable public policy in the way that it would like to see? Do you think that perhaps the structure of J.E.C. is an impediment to using it as a public policy tool?

**Minister for the Environment:**

I would not want to prejudge without having it looked at in detail, but I would expect - my expectation would be - it would not make it easier. The fact that it has got substantial private shareholding does not make it easier to do those things and therefore I think the polite language I was using is that we need to look at the electricity law and I think in that we need to look at the powers. I think, to be fair to J.E.C., there needs to be a dialogue with them, because I know they are very sensitive about these matters and they are particularly sensitive - and I will put this in the public domain - about the issue. When the question of potential regulation comes up, they are upset about that or have been in the past.

**Deputy K.F. Morel:**

Yet they are happy with London Stock Exchange regulation, which is nothing to do with Jersey's public policy.

**Minister for the Environment:**

Anyway, you raise a subject which I think is valid and needs looking at. Of course you, as a Scrutiny Panel, have the opportunity to call J.E.C. in here and have that dialogue with them. But I think strategically, as an Island policy, this issue of renewable energy and so on and the way forward is an essential one for the future. These things you have spoken of should form part of that work.

**The Connétable of Grouville:**

One of the reasons why the price went up was because of the pound losing value here, which you can understand.

**Minister for the Environment:**

That is understandable. That is why I qualified what I said, because it was an immediate surprise, and without having the detail, what the extent of that was. Obviously we have got no control over that. I do wonder why we are not hedging against exchange rate movements, because we have got long-term commitments on this electricity cable and we are always told we get cheap electricity across this network. Part of that would be sensible hedging strategies against adverse movements in exchange rates.

**The Connétable of St. Brelade:**

Realistically, I think the J.E.C. are quite acute at managing that. I do not think there is much doubt about that.

**Minister for the Environment:**

Perhaps you can ask them. But no, the effect of a price increase on the public and on inflation, as my colleague says, is quite significant.

**The Connétable of St. Brelade:**

I am going to move away from electricity just on to Public Health and Safety (Rented Dwelling) Regulations.

**Deputy K.F. Morel:**

It is a brand-new law which has been brought in recently by the States. It relies heavily on regulations; the law was brought in by regulations. As I understand it, we have not seen these regulations yet and I was just wondering if you can give me a timeline and explain why we have not seen them, yet the law appears to be operating.

**Minister for the Environment:**

I have seen early drafts. I think just before Christmas I last saw a draft and I have had a series of meetings with Mr. Scate, who is, if you like, leading in charge of regulation and the Environmental Health Team, Stewart Petrie, who have done phenomenal work. I think from my point of view obviously they were engaged in some work in connection with the Rent Safe Scheme and I think they were taking stock of the results of that work before getting into the final phases. But in my understanding we are pretty well at the final stages now and we are expecting to be ready for consultation on 10th March.

**Deputy K.F. Morel:**

So consultation has not started yet?

**Minister for the Environment:**

No. Then it will go to Scrutiny and States approval. The timetable that we are looking at is December 2019 for the adoption of the commencement of the licensing regulation. If I may, Chairman, could I ask Mr. Scate to see if I accurately reflected that?

**Group Director, Regulation:**

The Minister has accurately reflected that. We have been a bit delayed from resource and just capacity to get the work done is the honest answer as to why we have taken a bit more time to get the ... the regulations in their own right are not voluminous. There is a scheme that sits

underneath the regulations which effectively details how the things will work in practice, what process we will go through as a regulator, what landlords can expect et cetera. That is being drafted. We want to get that out at the same time as the regulations so that everybody knows the full detail as to how these things will work. So all being well they will go out for consultation next week, we will include Scrutiny with that. We will get some feedback. The Rent Safe Scheme, which sort of runs in parallel with this, is in operation. That is the voluntary registration scheme at the moment. The law brings in legal licensing requirements for dwellings, so the 2 are running parallel. We have had quite a lot of success on Rent Safe. We have more and more landlords signing up to Rent Safe so that the numbers are increasing every week. We are continuing with landlord training, awareness sessions. We have had, for instance, Christians Together have just become Rent Safe with their property portfolio, social rented. We are getting more and more of that happening. The reality is we have to get the legal paperwork to match up, so we want to engage with Scrutiny from March. I think it is important for you then to see what we are consulting on, then the results of the consultation, then there will be a more detailed Scrutiny process, I imagine, so we can get these in for, as the Minister said, 1st December. That will be the licensing requirement date. We want to give landlords effectively 3 months prior notice or some prior notice to say: "This is when it is going to come in, so this is when you have to align your behaviour to." Some of the work we have been doing in this area is being done under other legislation at the moment, so lodging houses is a good example. We have seen a recent case in the media around standards in lodging houses and that went to court. That is being done under that bit of law. What I think this is showing is that a lot of our housing regulation, which possibly either has not happened or has happened in other places, we will start to bring together into one housing regulatory team within regulations so that we can look at standards in lodging houses, standards in various tourism accommodation, standards in private sector rented et cetera et cetera. The deposit scheme that is operating currently is now going to be sitting within that team as well, looking at landlord and tenant deposits. So again, one of the benefits of some of this new structure is we can start bringing some of that together. It is a bit of a long answer, but there has been a bit of a delay, mainly because it has been a bit more work and we just have not had any time. That is the simple answer.

**Deputy K.F. Morel:**

Do you have targets for the Rent Safe Scheme?

**Group Director, Regulation:**

We will want to get as many properties on there as possible. If you are in the Rent Safe Scheme it will open up ... you will not get charged so much for your licensing and your regulation sort of thing, you will get a star standard which you can use as a landlord. It is a mark of quality you can show to your tenants. It has really worked well in our Eat Safe area, the food safety. We do have

food legislation obviously, but the Eat Safe has really helped restaurants and food businesses show how good they are. We are expecting a lot more voluntary sign-up for ...

**Deputy K.F. Morel:**

Eat Safe works because of the market, clearly a highly competitive market in food in Jersey. What makes you think that the housing market, the rental market, will work in a similar sort of way? Is there not a bit more compulsion on people in the sense they have to find housing: "I will take that flat" and it does not really matter?

**Group Director, Regulation:**

I think there is. I think we do have a pressured housing market for sure. We do, however, have generally an unregulated housing market and big chunks of it, so there will be some impacts on market behaviour. I am absolutely certain that we will see some prices for rented dwellings decreasing because landlords are charging too much for the quality that is on offer. We may see the reverse in some properties, that rental on 5-star properties the landlord maybe could charge a bit more, for instance. I do think we should see some matching of rents to the quality and effectively the Government is saying: "This is the quality of this premises." A tenant would expect not to pay more for something that is 3 star than they are paying for a 5-star property. I think we should get some market equalisation going on.

**Deputy K.F. Morel:**

I asked about targets and you have not given me a clear answer about targets. For that sort of market to work, you do need a certain number of landlords to be operating ...

**Group Director, Regulation:**

Yes, sure. Effectively all landlords will legally be required to be licensed when this comes in on 1st December.

**Deputy K.F. Morel:**

Yes, but as far as the Rent Safe ...

**Group Director, Regulation:**

That will still be voluntary. So if we have a landlord who does not want to become Rent Safe they will still have to be licensed.

**Deputy K.F. Morel:**

Yes, I appreciate that, but from people understanding and being able to look: “He is a 5-star landlord, he is a 2-star landlord” and there being enough of that happening to make it worthwhile and to make that market ...

**Group Director, Regulation:**

So what we would like is as many properties ... we do not have a target to say we need 100 per cent in. A 3-star property and above effectively meets the legal standard. A 3-star property is the minimum standard so I would imagine that we would see rented properties wanting to come on to that scheme to prove that they meet that for their consumers, their customers, the tenants. The target for the licensing scheme is 100 per cent all with licences and we will then have a measure of ... I would expect we would see some properties not meeting standard, quite a big chunk in 3 star, and over time we will be see the star ratings go up. So we have not put targets on to say: “This is what we want to achieve by when.” What we do know is there will be a legal requirement for landlords to be licensed 1st December. So effectively we can say all of our rented properties that we know about - and I am sure that there are many that we do not know about - and this will enable us to find out as well what properties are being rented out and we can then apply some standards to those, because some are meeting standard currently.

**The Connétable of St. Brelade:**

Taking you on to the thorny subject of hospitals, about which we all know, P.5, the rescindment of Gloucester Street with amendment, took us back to looking at sites generally. Do you think the current site, being Gloucester Street, is at all workable in light of the fact that you refused planning permission for it? Can you see there is an alternative to the present site or is there a viable planning alternative?

**Minister for the Environment:**

I wish I could sit here and say for sure. The position I have taken on the hospital - and has always been, and I set that out to the Hospital Scrutiny Panel - is that I have never been keen on the Gloucester Street site. That probably understates it. I have always said that if there is no valid alternative then that will have to be, then the task will be managing the damage, what I call damage limitation. That would include potentially buying surrounding properties which are adversely affected and having measures in place to ameliorate the effect, the adverse effects. Obviously the inspector found that those adverse effects were sufficient for him to recommend a rejection, although he did raise this issue where he invited me, as Minister, to exercise a discretion which is allowed in law to override his recommendation on the grounds of public interest. Had I felt that there was no alternative then I would have reluctantly done so, but I would have tried to make sure that damage limitation measures were taken. I concluded that we had not satisfactorily eliminated those alternatives and could not demonstrate that criteria inherent in that choice that I

had to make, which was extremely difficult. It is all in the Scrutiny Panel report that I gave them. So where we are, as far as I am concerned, I do believe - and I have written to the Chief Minister on this subject - we have to have a fresh approach and the elements that I want to see in there are first of all a very clear statement of what the clinical requirements are for our new hospital.

[12:30]

The reason why I think that is particularly important, because reading all the evidence and things people are saying, is we do look as if there is some suggestion that the interests or the requirements of particular consultants have not necessarily been got out in detail or that they were somehow compromised. That is a piece of work I would expect to go on and there is also this potential which has surfaced in the debate about whether or not mental health is collocated within the facilities. So I think the starting point, as it always should be on any major project, before you move into site selection process, is to make sure you have absolutely got a robust statement of the requirements for a clinical hospital that meets our needs today and for the future. That I do not see happening. I have asked the Chief Minister ... I was due to meet him yesterday in view of today's meeting. Unfortunately that meeting had to be cancelled because of his trip to London. If we were to do what I have said, and I voiced that view to the Minister for Health and Social Services and the Minister for Infrastructure, that would enable a site selection process to reach a real and firm conclusion. The other thing I have asked the officers to do, I want to see more planning guidance in to help that process and the officers are advanced in drafting that. That is something which I can do under the planning law, issue supplementary planning guidance, because from my point of view I think the issue has been raised: "We will never find a site that does not breach Island Plan policies." In the longer term I have asked for an Island Plan policy which would enable us to have a central public infrastructure that would have overriding considerations. That is a policy that exists in other people's planning methodologies, it does not exist in ours, and I want it to. So I have asked the team to work on that. I am not putting all my money on that horse, if you like, because that will take time. To get those measures in place will take time. I think we need a fresh approach that I intend to discuss with the Chief Minister hopefully to try and bring this to a conclusion, if possible. I said to the Scrutiny Panel that making that decision was a horrible one for me. I found it really hard.

**The Connétable of Grouville:**

Can I just stop you there? Should that decision be just on one person or should it be a political decision with a greater group of politicians?

**Minister for the Environment:**

That is a good question. The decision I made is in accordance with the law which I inherited, so I did not have the legal vires to be able to do anything different.

**The Connétable of Grouville:**

Should we change that law? It seems ridiculous.

**Minister for the Environment:**

Well, it is a recommendation on the Scrutiny Panel, and it is on my ... yes, we can change ... I could bring a change forward to change that to enable a decision on another planning application to be made, if you like, by the States. But I would put this to you, in my experience over many years the States are not, through their track record, the best body for making planning decisions.

**The Connétable of Grouville:**

But surely it is wrong that your decision could not be challenged?

**Minister for the Environment:**

I did not feel comfortable about it, I did not want the responsibility, but I ended up being saddled with it and it is an onerous one. I do not think there is any other Member around the States who wanted to have that responsibility individually on them either.

**The Connétable of Grouville:**

It is not a criticism of you, it is a criticism of the system. That cannot be right.

**Minister for the Environment:**

I think somehow or another ... I am not giving up. I must be able to find a site where we can have a site which creates a wonderful hospital, has got the right communication links, meets all our requirements and when there is not a level of objections and concerns about it. I am not going to go into this, but a couple of other sites which I put forward and the preliminary information I have on them is that they are potential sites. I do not want to name them now because I want to discuss this with the Chief Minister.

**Deputy K.F. Morel:**

It does not give you much hope then when your ministerial colleagues talk either about individual sites as being the one or about just going back to creating a short list of 5 that we already know of and start from there. Does that give you much hope that there will be an appropriate process which ...

**Minister for the Environment:**

Look, I do not believe that we should be picking one of those sites now. I believe that we should be getting that statement of clinical requirements and matching it against those sites, but I do not think that we should conclude they are necessarily the only ones. From my personal view, when I went back through some of the earlier work, I felt that some of it had not been bold enough. For example, I believe - and this is a statement of principle for the States to think about - the issue about buying private lands. I think we should have been prepared - and Members may disagree - to compulsorily purchase privately-owned land in order to secure the hospital that the Island desperately needs.

**Deputy K.F. Morel:**

Gloucester Street required that.

**Minister for the Environment:**

To a modest degree. I am talking about a site which is substantial or big enough not to have the planning negatives that that site has. That is what I believe. I would not want to give up on that at the moment, but I need to discuss this with the Chief Minister. He is taking the lead. That meeting is going to happen. Personally I would not want to plan on any of those other sites until I would be satisfied that that work has been done. I have encouraged the Minister for Health and Social Services to do it because we all want a fabulous new hospital as fast as possible, that Jersey has to have. I feel, if you like, if I had a choice, I would not want that regulatory role. I would much sooner have the role of leading the project and delivering it, but I do not have it.

**The Connétable of St. Saviour:**

Could I just say, I have been in and out of hospital for the last 9 to 10 weeks, so I have met up with quite a lot of hospital staff, and the surgeon that saw to me said that he wanted a greenfield site and he wanted it now. He also said if you look at Les Quennevais in the 6 months it has been up and running, the framework is already there. According to the powers that be, a new hospital comes in kit form, like Lego, and can all be knitted together. So is there any reason why ... well, you cannot tell me, but as I say, talking to the medical staff, they would like a greenfield site. They do not wish to be where they are. A. and E. (Accident and Emergency) does not wish to be where it is because it gets a lot of people from outdoors because it is easier to come in for the warmth. If there is an accident ... because you have drug addicts, you have alcoholics that go in there. If they are ill, it is the hospital staff that have to mop up after them and they do not feel they should be there because they are there for medical treatment and not to look after them. A lot of the A. and E. people would prefer not to be right in the centre of town. You are talking about talking to the people who operate in the hospital and I think that you will find if you talk to them that is going to be another thing. The surgeons would like a greenfield site because it will go up a heck of a lot

quicker because if you buy property you do not know what is there when you start knocking it down.

**Minister for the Environment:**

I am aware of that. I would love to be able to speak broadly because I have certainly heard those views from hospital consultants myself and of course I do ... put it this way, when I look back under the earlier site feasibility study it was clear that the issue of breaching the green zone was a major barrier. Personally, if I had a choice between making an exception to breach a green zone and making an exception to do major damage to nearly 100 properties in the back streets of town, I would choose to breach the open site in the open countryside. But there are key things to consider. Does it meet the clinical needs? That is really important. Secondly, I do not think we can disregard the issue about location and the traffic network. That is really important. At the moment I am not clear on what the evidence has been about where that best locus needs to be, because people need to get to the hospital. That is an important criteria. Also the issue of construction time and the speed of construction and the ease of construction, all of those are relevant factors in my book. But of course those are the kind of things that I will be talking with the Chief Minister about. I do feel frustrated, because in times gone past the Minister for Planning would be able to take a lead in such matters and I feel my experience would enable me to do so, but because we have this regulatory conflict caused by the law that I inherited, which I did not welcome, I am constrained. That is an issue I am going to talk about ...

**The Connétable of Grouville:**

Is the Minister for Health and Social Services listening to you? He is going to put together what he needs as a hospital?

**Minister for the Environment:**

I hope so. I think maybe you should ask him. My frustration is that we have not had that table ... I have asked for this matter to be put on the Council of Ministers. I had hoped we would have that discussion around the table. We have not had it.

**The Connétable of St. Brelade:**

Clearly this panel has to restrict itself to the infrastructure side, but I can take your point about the clinical need, which is perfectly clear to a lot of people. Just as a final one on that subject ...

**Minister for the Environment:**

One extra thing, sorry. Car parking, what the Connétable says is right. People need to get at their hospital, both by foot and also on public transport and vehicles.

**The Connétable of St. Brelade:**

You will be insisting on car-charging points?

**Minister for the Environment:**

Yes, absolutely. We have got some news on Les Quennevais.

**The Connétable of St. Brelade:**

Just to conclude on the hospital, in 2022 we will have another election. Are you confident that we will get the hospital moving before that? Because we have a great risk if a change of personality is involved, change of opinion, and having to start all over again.

**Minister for the Environment:**

Change in personality, sorry, I am not quite ...

**The Connétable of St. Brelade:**

2022 elections.

**Minister for the Environment:**

I think it is imperative. Look, it is absolutely imperative well before 2022 that we have made a decision - a binding decision - on a site and, if necessary, we have approved compulsory purchase powers so there is no having to go back for the second bite of the cherry, and we have put in place the funding and we put in place the contract arrangements and we have started onsite.

**The Connétable of St. Brelade:**

We will have to be moving pretty quickly.

**Minister for the Environment:**

I think that is the goal. Ideally if we can achieve a 3 or a 4-year build we could be hitting that 2025, 2026.

**The Connétable of St. Brelade:**

Good, I am pleased to hear that. Les Quennevais School charging ...

**Group Director, Regulation:**

Les Quennevais School has 4 electric charging points for vehicles, 150 cycle spaces. It has P.V. on the roof, as already mentioned ...

**The Connétable of St. Saviour:**

It was the power points for the electric ...

**Group Director, Regulation:**

Yes, so it has 4 currently.

**The Connétable of St. Saviour:**

So you have 4. That is fine.

**Group Director, Regulation:**

The majority of it has been around trying to get people to access it with a car of any kind, whether it be electric, or fossil fuel driven.

**The Connétable of St. Saviour:**

But if you already have the cabling through for the 4 you will be able to go up and you will not have to waste a lot of time.

**Group Director, Regulation:**

If it is going to be expanded, then we still need ...

**The Connétable of St. Saviour:**

Thank you.

**The Connétable of Grouville:**

As someone who has an electric car, in Jersey you do not need that many points if you have a house out in the countryside. I just plug it in at night and I have got, I think, 90 miles so I do not do 90 miles over here, so I have never used a charging point ...

**Minister for the Environment:**

The thing I have heard people fear is that they worry about going to a place, leaving there and then: "Oh dear, it needs a charge" and they are stuck.

**Assistant Minister for the Environment:**

Unless you live in an apartment and then you want to try and ...

**The Connétable of Grouville:**

It is a bit different in town.

**Assistant Minister for the Environment:**

One last thing about the hospital is that you can speed up things by dealing with the public interest questions in the Chamber. If the Chamber decides that one site is in the public interest then there are probably quite a few things that you can smooth over in planning.

**The Connétable of St. Brelade:**

Minister, I am going to take you ... we have moved to St. Brelade and I am just going to take you over the cliff, if you like, to the airport and P.F.O.S. (perfluorooctane sulfonate). We have a reappearance of P.F.O.S. Have you found the source of this contamination yet?

**Minister for the Environment:**

I first became aware fairly recently and I asked straight away for a team to be formed. Mr. Scate leads that team. It involves the Medical Officer for Health, the Director and Environmental Health team. Obviously the whole thing is to establish how far this plume has gone. I think probably I will hand over to Mr. Scate, if I can.

**Group Director, Regulation:**

Yes, so just for a bit of background, we had a request to test a borehole from a resident who was concerned with the visual quality of the water. Because of that test we ... she asked for it also to be tested for P.F.O.S. because it was near to the airport, so we did undertake that for her and it has shown a trace of P.F.O.S. at a very low level, so well below the W.H.O. (World Health Organisation) trigger levels, but nonetheless it is in a location that we did not expect to see it. That has prompted some further tests in the vicinity. To date we have taken 11 tests in the vicinity and we have commissioned another 12 tests. Of the 11 tests that have been taken it is showing up in a wider area. So we are in the process at the moment of trying to ascertain where it is and there is a bit of data and science ... data collection effectively going on in terms of where is it and what is it likely to be affecting. So we have found it in all of the areas that we have tested so far, the 11. It is not in the traditional plume area round the fire-training ground, it is in another area which we think is not related to the same incident. Effectively it is across the valley, it is uphill, so we think it is related to other use of P.F.O.S. in the past. P.F.O.S. has been part of firefighting foam historically. It is a fire retardant, so we think it is related to other uses of that over time.

[12:45]

The levels are low. However, they are in areas that we did not expect to see them, so we are doing a lot more investigatory work at the moment to understand what is going on. It is likely to be testing more widely around the airport, I think, just so that we have got a pretty clear picture of what is going on. As the Minister said, we have set up a technical group with Jersey Water, Health, Environmental Health and Environmental Protection, who are all contributing to the data

and what the likelihood is. That is going to result in an interim report to a political board. We may well need to expand that political board to other parishes such as St. Brelade or St. Ouen, depending on what we find, but that will involve the Minister, the Minister for Health and Social Services and the Minister for Infrastructure probably as well, so a suitable collection of relevant politicians. We do want to engage with residents as well, so we will be holding a residents' meeting this month and that is likely to mean more regular contact with residents affected. So the interim report will be published as to what we have found. That will then springboard into: "Okay, what are we going to do about it and what are the options available for residents in that area?" which may mean mains connection, it may mean different water supplies, that sort of thing. Currently we are sort of in an investigatory phase of understanding exactly where it is coming from and what is affecting.

**The Connétable of St. Brelade:**

Within the terms of the airport's incorporation, they have liability for the initial contaminations. Does that continue into this incident?

**Group Director, Regulation:**

So there will be ... we will have, I guess, a regulatory conversation with them if we find it is related to airport use of firefighting foam. I guess we are going to have to have a conversation about how historic that is or not and whether it is anything more recent or not. Then we will have to have a conversation about where we think liability lies for some of the actions that undoubtedly will come as a result of this.

**The Connétable of Grouville:**

Did you say that you found it in a different place that was probably not related to the airport?

**Group Director, Regulation:**

Yes, so effectively it is north and uphill a bit, and across a valley. That is what has led us to be a bit concerned about why it was there, and we do not think it is hydrologically or geologically linked.

**The Connétable of Grouville:**

Does the other Fire Service use P.F.O.S.?

**Group Director, Regulation:**

We do not think so. However, what this has prompted is a conversation about what historic records have been around any other use of P.F.O.S. for any incidents. We are certainly aware there was an air crash back in the 1980s and a property was hit. The property has since been demolished and rebuilt somewhere else, so we know that there was some use of it there. We also

know that it is used for training purposes around the airport estate. At the moment we just want to understand what area may be affected and then we can track it back to what we think has caused it. Then, importantly, it is a question of the public health and what are we going to do about it. I think to get to that point we need to understand what has happened.

**The Connétable of St. Saviour:**

There was a very bad air crash in the 1960s and that was catastrophic. I would have thought a lot would have been used then, so maybe that is not in ...

**Group Director, Regulation:**

Yes, the levels we found ... I guess the positive news in the boreholes we found, the levels are very, very low. They are a lot lower, many times lower, than the trigger level. We have advised homeowners of those levels. We have obviously found a lot of other things, such as nitrates and other agri-chemicals and things like that. We are seeing a lot of that in our borehole supplies anyway. If I am being honest, that is probably more of a concern for us rather than the P.F.O.S. levels. However, we do need to understand whether it is just an isolated area and it is very low levels or are we talking about something more widely. For us to be a bit confident about that we need to ... I think we are going to test more widely around the airport estate, understand what is going on and then we can have a proper conversation about what we do about it.

**The Connétable of Grouville:**

Have you asked the Fire Service if they use P.F.O.S.?

**Group Director, Regulation:**

Yes, so we have some data-sharing going on. We certainly had a conversation with the airport. We know about some of the historic stuff that they have. I do not know about the town service, so that is an area that we need to get some data from. I know it is on our list.

**The Connétable of Grouville:**

It would be all over the Island if it was ...

**Group Director, Regulation:**

It could be, yes.

**Deputy K.F. Morel:**

Minister, can I ask, obviously it is excellent that you have moved so quickly to deal with this latest evidence of P.F.O.S. contamination. When you look at the Horizon development and the fact that people had to clamour to get any investigation of possible pollution and contamination in that area,

do you think it is something that the department needs to look at a bit more widely, its response to ...

**Minister for the Environment:**

I think there is a danger that when people hear no comment from the authorities they conclude that there is nothing going on. That is not correct. I think that what I discovered since being elected Minister is what I knew already, unfortunately there are quite frequent - from what I can see - issues of pollution. I get reports from the Water Resources Team of pollution being monitored in streams and groundwater and obviously those are fortunately mostly at low levels, below target levels, but nonetheless there is no question glyphosate and so on is present throughout Jersey waters and we have to treat it to remove it. Of course we have incidences of new stuff turning up. I got one the other day, I cannot remember its chemical name, but again it is coming in. Thankfully we have a team of people at Howard Davis Farm who are constantly monitoring these water resources, coming up with samples of groundwater and they also monitor surface water. I think this does ... I am certainly aware it is a problem, that there are a quite high proportion of people in Jersey who are not served by mains water, who do not get the advantage of that quality standard water.

**Deputy K.F. Morel:**

I am one of those. I have spring water.

**Minister for the Environment:**

Therefore, certainly the advice is to have water tested in a way that triggered this particular ... you know, the borehole water. I think that does raise a policy issue about extension ... what is our policy and what is our investment in future mains extension in Jersey. But on the Horizon development there is no complacency there. The reports I have had say that samples are being taken. It is obvious there must have been a failure. What that was ... we had that fine material being discharged into a marina. Now, obviously the law, we have discharge limits are set and obviously what investigations are taking place is to tell everyone whether there is any exceedances or not. If there are and the evidence justifies it, as far as I am concerned, I will make sure that the authorities ... that the papers are referred for necessary action.

**The Connétable of St. Saviour:**

With Andy's environment hat on - I keep having a go at you, but I do love you - these potato leeches that we had, is it still leaking, or has it lowered, or do you not monitor that so heavily now?

**Group Director, Regulation:**

Is this the historic potato ...

**The Connétable of St. Saviour:**

Yes.

**Group Director, Regulation:**

I would imagine there is probably some room ... I guess over time it dilutes and dilutes, so I would imagine there is probably some traces still there. I think we do keep an eye on that.

**Minister for the Environment:**

Oxadixyl as well, which is banned, and a good number of years away we are still finding it. Unfortunately what happens with tin material, it remains in the ground and when you get heavy rainfall and an increase in water level, what does it do, it flushes it out into the watercourses, so we get this historic pollution.

**Group Director, Regulation:**

The one thing I was just going to say on Horizon, we have taken that incident very seriously. The moment we were informed of discoloration in the marina - and we had a number of reports both from residents in the properties as well as pressure groups externally - we have been very regulatory, we are collecting a lot of evidence, taking witness statements from a number of sources and I am pretty confident there will be some formal action of some kind. We have obviously got to work with the contractor onsite as to understand exactly what has been happening and what we need to see occur on the site to prevent anything happening in the future. Yes, I just want to assure the panel that we are taking that very seriously.

**Deputy K.F. Morel:**

Will the public find out the findings of the investigation?

**Group Director, Regulation:**

We are going to need to be ... effectively the way that our investigations work, it is potentially a criminal offence, therefore it is sort of within the remit of all of the rules around criminal investigations until we produce a file for the Attorney General's office and then ... so unfortunately, until that process is concluded, we are a bit secret about it, frankly, because that is how we have to be.

**Deputy K.F. Morel:**

How long until you think the Attorney General will find out?

**Group Director, Regulation:**

We are in dialogue with him. Anything which relates to Government-owned operations or bodies we report regularly to the Attorney General on that every quarter, so that does form part of our regular reporting. I would hope we do not take too long about it. We need to make sure we have the right evidence for a case file, effectively. I asked the team exactly that question this morning. I would like to see something ... it is probably going to be after Easter by the time we have managed to collect all the evidence, taken the witness statements, prepare files, that sort of thing.

**Deputy K.F. Morel:**

In the meantime, are you satisfied that there is no pollution ...

**Group Director, Regulation:**

Yes, we are happy that the contractors have taken it seriously. They have responded to all of our requests and they are taking action, looking at action onsite. So we are confident on that side of things, notwithstanding that something still did happen that we do need to take proper investigations on.

**Minister for the Environment:**

I would add that I am very concerned that it happened at all because it was not as if that was not expected on that site. It is well-known that was a source of contamination from the previous land reclamation that these measures needed to be put in place during the course of the construction. It is certainly a concern to me that this was done under the jurisdiction of a Government agency, although I do believe that the site was sold to a developer. Part of the work that Mr. Scate is doing is establishing where the responsibility for that lies.

**The Connétable of St. Brelade:**

Can I just take you back - I know you have answered a couple of questions on glyphosate in the States - is there any movement on that? What is the present view?

**Minister for the Environment:**

I have accepted the advice of the officers, which is that the evidence is not sufficient to ban it. But of course I am constantly receiving new information and therefore what I have said in my last statement is we are keeping that under review. I did hear reports that in France they have made decisions to restrict it. I do not know how far that goes.

**Assistant Minister for the Environment:**

Private use.

**Minister for the Environment:**

Private. So maybe Gregory can speak on that.

**Assistant Minister for the Environment:**

They have restricted the private use of glyphosate in France.

**Minister for the Environment:**

At the moment you can buy this stuff in supermarkets. But again, the advice I have had is that the materials that are sold commercially in supermarkets to ordinary users is a lot weaker variety to that which is used commercially by growers. Obviously glyphosate is used in commercial growing as part of the cycle of production. I am sure on your side of the table you are far more expert at that than I am. One of the arguments that I think does need to be considered is if it were to be banned, what alternatives would come into play? That is a difficult subject. I think at the moment the jury is out on this.

**Deputy K.F. Morel:**

Returning to the marine environment, Minister, last month you attended a symposium with the British-Irish Council, a marine litter symposium. I believe as a result of that there was a commitment for all the administrations to work together to develop a solution for recycling of end of life fishing gear. Can you explain the outcomes from a Jersey perspective? What strategy are you drawing up and have you started discussions with marine industry here in Jersey?

**Minister for the Environment:**

This is a difficult one. This is an unusual conference for me. It was not really a conference, it was a symposium, it is called, organised by the Scottish Government. This follows on from the British-Irish Council summit meeting which we had in Guernsey, where we talked about the concept, if you like ... when I say "we", all the jurisdictions, all the British jurisdictions spoke about this and we all said that plastics are a huge concern to the public and we have to do better. So we agreed to take action by not leaving it until another conference in a year's time, but in 6 months' time ... a bit more than 6, it proved to be. The format of that was that there was a quite separate process between the way the Ministers ... we were there, in effect, to really join forces in our messages to the industries. There must have been 100-plus people there - probably 150, I think, given the size of the venue - in Strathclyde at one of the Strathclyde university schools. There were people from the fishing industry, from the plastics industry and so on. They were having symposiums and they were all split up into all different groups and working out practical action plans. For myself and Deputy Brehaut from Guernsey and the Isle of Man, we all find ourselves in a common position, that we are consumers of plastics, we do not initiate these things. We are relying strongly on the regulatory measures introduced in the UK in the manufacture, production and distribution.

[13:00]

So what we are looking for those jurisdictions to do is to, if you like, lead us into how we implement that work. One of the things I have asked for as a result of that work is to follow up on the E.U. (European Union) single use plastics directive. I want to see whether or not we can lock into that in some way. Where I stand politically is I do not want to see our exit from the E.U. deteriorate environmental standards. I want to maintain those standards. The E.U. has progressed things that the British jurisdictions ...

**Deputy K.F. Morel:**

Sorry, do you mean the U.K.'s exit from the E.U., because Jersey is not exiting the E.U.?

**Minister for the Environment:**

I know, but in effect we are so linked in environmental regulation, the notion that Jersey could have been detached from the E.U. in terms of not applying is not real, I do not think. Not given that whole raft of our agricultural activity, our fishing activity and so on. We had to make sure that we are fully signed up. In fact, I have signed letters to Michael Gove, who has asked the Ministers for the Environment about their position on how far we should go. I certainly have signed letters which have been recognised by the Minister for External Affairs, and so have others, supporting a notion of maintaining that full compliance with our environmental work. Those things are really important for us to get our international agreements ...

**Deputy K.F. Morel:**

Sorry, Minister, I asked what strategies you were bringing back to Jersey and I asked whether you have engaged with the local fishing industry already. Minister, would you mind answering the question?

**Minister for the Environment:**

I met the fishing industry yesterday, I met the Marine Resources Panel. I have got fisheries officers there who I delegated this work to, and Mr. Peggie here, who chairs that group, and I have heard nothing but positive messages from the fishermen that they are supportive of the work that we are trying to do. Also Jersey Ports, have installed marine litter bins, but the problem they have is that they cannot get these things emptied enough. Marine litter bins sit in the harbour and the marine litter all fills them up and currently I am told they fill up within an hour or so, or a couple of hours, and clearing these things is a problem. I will let you intervene - if I can, Deputy - on that point.

**Director, Natural Environment:**

I think in terms of engagement with the fishing industry, yes, we have. There is a very real issue in terms of the plastics from the fishing industry, although it is not just plastic, it is plastic that is weighed with lead in many instances, plastics weighted with steel. There are different types of plastics that are melded together to create nets, fishing gear, pots particularly. Around here we have somewhere in the region of 47,000 pots which are peppered across our waters. Now, if you get a bad storm you tend to lose a lot of those, if you get fishing gear conflict, you will lose a lot of those. They will potentially end up on our beaches creating marine litter, fishing industry-related marine litter. We have engaged between our officers from what used to be called the Environment Department and D.f.I with the industry to try and determine what sort of scale of quantity we have in terms of fishing related marine litter, what things we can do with this material rather than just stick it in an energy from waste plant. The reality of putting rope-based material through an energy from waste plant, while it might be calorifically beneficial in terms of generating heat and therefore power, the rope element of it snags up the gear in the energy from waste plant. This is a common problem globally, so we are looking at alternative things to do. We are in discussions with our counterparts in the U.K. to try to determine what are the better options to deal with this stuff. It may well be that chopping it down to a very much smaller size before you put it through an energy from waste plant, for example, might be beneficial, but of course there is a cost to that as well. In terms of the quantity of material that we have ... let us compare it with the U.K. fishing industry, thousands upon thousands of tonnes of discarded fishing nets every year. Every boat will get through somewhere in the region of 5 very large nets during the course of its annual lifespan, because they are doing pelagic trawling, commercial trawling. We are not quite the same here, we have a different type of net, we have predominantly a monofilament net, as opposed to a polymer net. It has got a bit of a value to it if you can find a recycling method for it. We typically here ... in fact, not typically, we have somewhere in the region of 3 to 4 shipping containers worth of this material that we would like to do something with. Currently there is no method of getting it away to do something with it in terms of if it is a recyclable issue. We spoke to a Scottish fisherman who has been taking it upon himself to fire that kind of material off to the Baltic countries to deal with. It is at his cost, so we are talking to them about what the potential is for following that lead here too. So, yes, officers are talking to officers in terms of what we can be doing with fishing-related waste, but it is wider than just the monofilament nets, you have to think about the pots and the creels, the different types of nets as well. We are on it. I think is where we would go with that. It is not a massive problem for us here, but it is something that if you leave it and leave it and leave it, then you will just end up with a quayside full of fishing nets and not a great deal of ... or people trying to do the wrong thing with them. By the wrong thing, I mean breaking the Waste Management (Jersey) Law by digging a hole in the ground and setting fire to them and covering them up again, which would happen anywhere else. So we would like to try and avoid that. Obviously we would like to try and get something long term in place that may be of benefit, and only by speaking to

people who are already doing these things on a larger scale can we recognise the benefits of scale.

**Deputy K.F. Morel:**

Minister, you have been speaking with the British-Irish Council on this subject ...

**Minister for the Environment:**

The Environment Ministers on the British-Irish Council.

**Deputy K.F. Morel:**

Yes, absolutely. Do you have any intention to look beyond the British-Irish Council to other organisations, international organisations or individual countries, for instance, France?

**Minister for the Environment:**

We will certainly learn from wherever we can. Where I assess Jersey's strengths are ... because I think part of my being there was to demonstrate our commitment and strong interest because otherwise if Jersey had not attended or not made an effort ... we were there in the strength because we had fisheries officers there involved in the fishing sessions and so on. I thought it was important that we maintain that presence. We do need to do more, and we need to link into external databases of marine pollution, because obviously the stuff ends up ... Mr. Peggie has outlined, if you like, our local situation, but of course we get material constantly coming from elsewhere. Therefore what I picked up is that there are projects ongoing whereby people and organisations can report the results of beach clean, they classify the material, where it is coming from and so on, so to build up a national database of these sources of pollution so it can help us try to manage that. For example, we have recently had ... I was not aware that this had been done, but I was provided with a piece of work that had been done by a research student who had been out with the fishing team and doing samples on beaches, producing evidence that we have a problem of microplastics. We have a problem with microplastics, and the concern is that this type of material is very small fragmentary material and the astonishing thing to me was the longest material comes from manmade fabrics, manmade fabrics that break down as part of the washing process and so on. One of the biggest areas of accumulation in microplastics was in fact in St. Aubin's Bay, according to that work, which obviously suggests that it is tidging with the outflows from the S.T.W. (Sewage Treatment Works). It is not just there, it is all over the place.

**Director, Natural Environment:**

It is quite important to note we are no better or no worse than many other jurisdictions.

**Deputy K.F. Morel:**

Would you mind me just butting in? Sorry, only because I want to get an answer to the question that I asked you, which was not about microplastics.

**Minister for the Environment:**

Are we looking elsewhere? Yes, we will. We will input into that network ...

**Deputy K.F. Morel:**

I just wanted to add a separate bit, which was obviously much fishing gear, I would imagine, lands on these shores from Brittany and Normandy. Are you speaking specifically to the department in Brittany and Normandy?

**Minister for the Environment:**

I have not met the French myself. Yes, I did, I met the French about 6 months ago and of course under the regular discussions that take place under the Bay of Granville Agreement I met with French fishermen and so did Gregory. Under that agreement these discussions take place with the officers and not with the politicians, those meetings are ongoing and there was one last week. Obviously I get the reports back. Gregory has been over to meetings in France. Do you want to say anything on that point, Gregory?

**Deputy K.F. Morel:**

You said an Environment Department. Is there an Environment Department policy, a particular ...

**Minister for the Environment:**

In France?

**Deputy K.F. Morel:**

No, for you to talk about the marine litter issue with the ...

**Minister for the Environment:**

No, I have to tell you at the moment our biggest focus is the very complex issues of Brexit and the fishing regulations, which are probably one of the most difficult areas in the whole Brexit work, the interrelationship between our agreements with the U.K., fishery management agreements with the U.K., Bay of Granville Agreement between us and France, by which France access our waters and we access theirs, at the very time that Britain is trying to agree an exit agreement with France.

**The Connétable of St. Brelade:**

We were going to come back to that on 29th March, Minister.

**Minister for the Environment:**

I am sorry to tell you that that is the priority and it is what the fishermen want to talk about.

**The Connétable of St. Brelade:**

I can understand. I am going to go back to the littering side of things. I understood that drones may have a part to play in that. Is there any work being done utilising latest technology in that field?

**Minister for the Environment:**

I heard that suggestion, the surveys, because obviously the Scottish coast, they have a very large coast, and I heard reports that they are using drones to survey the Scottish coastline and the outlying islands for sources of marine litter. I think there we are dependent on how sophisticated the technology is. In Jersey I think we have considered using ... there is a recent technique which Gregory is an expert on. It is side-scanning technology, is it not? It depends on the type of halogen that goes on the drones. If we can use that, we will, but of course we do not have the problem of a vast coastline that Scotland does. It sounds to me as if it is a very impressive idea because if they can classify what type of litter it is, where the biggest accumulation is and that goes into these national databases, we can see where it all goes, where its sources are.

**Director, Natural Environment:**

Scotland particularly is a massive coastline, so it is hugely beneficial to use drone technology because you do not have to then stick a man in a rig and drive into all the bays around. We have gone almost one step better here in that we have the voluntary organisation, Seasearch - that is one of them - who will do exactly that, they will take it upon themselves to go and drive into the local bays where they consider there to be potential for littering risk and go and clean up, which is fantastic news from our point of view. Yes, drone technology is worth looking into, I think, for some of the more remote coves, but I would not necessarily ... it is not going to be as beneficial as it is in a national jurisdiction with a large coastline.

**Assistant Minister for the Environment:**

It is not really a Jersey problem. First of all, we do not have the same litter that Scotland has. As has been mentioned, it is smaller plastics and our problem is not with plastics. It is not about seeing where it is. If we find it, we take it away. We just go and clean up the beaches. With the French, I think the problem here, we are not going to go and talk directly to the French about what they are doing. Each country is trying to clean up their own act. Within the E.U. they have directives, we have had this meeting with the other British countries, so it is about what we can do ourselves to deal with the problem.

**Deputy K.F. Morel:**

That strikes me as slightly short-sighted for Jersey, just given that the tides around Jersey will be bringing litter from the shores of France to our own Island and vice versa.

**Assistant Minister for the Environment:**

We cannot avoid that, so each need to deal with our own problem. Talking in terms of emissions of plastics, Jersey needs to make sure that it does not put plastics in the sea ...

**The Connétable of St. Brelade:**

Can I just ...

**Assistant Minister for the Environment:**

... as much as possible and France needs to make sure they do not put plastics in the sea.

**The Connétable of St. Brelade:**

Can I just pick up on that?

**Assistant Minister for the Environment:**

It is very difficult for Jersey to go to France and tell them: "It is your fault that the ..."

**The Connétable of St. Brelade:**

With regard to the - what is the word - the nurdles in Bellozanne and the output from Bellozanne, and clearly you have a regulatory position to play there, is there any work being done on how these nurdles can be filtered or taken out of this waste system?

**Director, Natural Environment:**

In terms of nurdles, we do not have a problem with nurdles. What we have an issue with is micro filamentous plastics, which is what breaks down when you wash fleece, for example. The rise in people wearing fleece garments has been significant over the last 20, 30 years and that is what we are seeing coming out of the back of the old S.T.W. It is very difficult to get rid of and that is what national research is going into because these fibres are so tiny. They are half the length of a human hair and half the breath of a human hair.

**The Connétable of St. Brelade:**

So there is national research going on?

**Director, Natural Environment:**

Yes, but it is not something we are actively engaged in here. We will follow on the back of that research to make sure that in future we can deal with it in a better way.

**The Connétable of St. Brelade:**

Good.

[13:15]

**Minister for the Environment:**

I think, in a nutshell, we do not have the answers, but it is imperative that we work with our partners on progressing this because the passion ... the public want us to deal with this, we are going to be dependent on ... we will input that information to our partners. Some things we have been able to hold our head up high, for example, the role of our local groups and the impact of the work done in schools. I think that has been very significant in Jersey. That has been picked up in other places. So I think this was an example where worldwide young people are buying strongly into the whole issue of environmental improvements.

**The Connétable of St. Brelade:**

I agree. Yes, I agree.

**Minister for the Environment:**

It is important we maintain that presence, I think.

**The Connétable of St. Brelade:**

It may be time for Mr. Pilley to speak up with regard to the Island Plan, Minister. What can you tell us about that? Can you update us on how work is progressing?

**Minister for the Environment:**

I think also you have got an opportunity to meet our new member of the team, who has taken on a lead role.

**The Connétable of St. Saviour:**

Is this the gentleman from England?

**Minister for the Environment:**

Yes. He can perhaps introduce himself.

**Director of Strategy and Innovation:**

Thank you very much, Minister. My name is Steve Skelton. I have recently started as the Director of Strategy and Innovation in the new Strategic Policy, Performance and Population Department. I have taken on responsibilities of Kevin's team and to help review the Island Plan over the next couple of years.

**The Connétable of St. Brelade:**

So who is the most knowledgeable about the new Island Plan? Minister, is it for you or for you to delegate to others?

**Minister for the Environment:**

Basically where we are is the plan was adopted in 2011 and it was reviewed in 2014 by the previous Minister, Deputy Duhamel. I was a Deputy at the time, and I interfered with that and brought certain extra things into that review, which meant that it took longer. Basically it will be out of date in law by 2021. I think my first contribution was to make sure that we got funding within the interim transitional plan, because as you know, we are all very dependent on the thing we discussed first of all in this meeting, the C.S.P.s for future budgets. That is no good if it did not allow us to make a start. I am pleased to report that I did put a request forward and I pushed it strongly, and that was one of the early funding streams that has been approved by whichever body it is, which I still do not quite understand who makes these decisions now.

**Deputy K.F. Morel:**

We are trying to find out for you, Minister.

**Minister for the Environment:**

Thank you very much. I am told it is £600,000, is it? That has probably arisen for 2 chunks of £300,000, one for last year and one for this year. I have to say I do not think it is enough, given the challenging task. But nonetheless we can make a good start. The first thing is to get the planning and we have to do our thinking and discussion, but it was important that we made sure that Steve was with us and on board so he can get then seriously into gear. The Island Plan, the whole point is it has to achieve all those objectives we spoke about earlier.

**Deputy K.F. Morel:**

So from your perspective, just so we understand it before you go any further, what is Steve's role?

**Minister for the Environment:**

Perhaps I can ask Steve to speak for himself because I am not sure I fully understand all of the corporate roles.

**Deputy K.F. Morel:**

So you do not necessarily understand the role of the new member of your team, is that what you are saying?

**Minister for the Environment:**

No, I will be frank, I was not party to the set-up of the new States structure of the target operating model. I have found that the position I have taken on is that I expected there was a single Environment Department which had all the officers in it, focused on the task, and of course now it is very different. What I said I would try and do is to make that work. As far as I am concerned, it has worked for day-to-day and business as usual things, that has been maintained, and legacy things as well. But where I think there has been this gap - and this is where I am hoping we are going to put this behind us now - is focusing on the future objectives we have all set ourselves to do. Steve's role sits across the whole States, does it not? You sit within the S.P.3 team, do you not?

**Director of Strategy and Innovation:**

Yes, thank you very much. So the role is within the Strategic Policy Department and specifically to take a lead on long-term planning issues, so the Island Plan, but also the development of the organisation's capability to do long-term planning to look at future trends and to take those into account. So I have worked with 2 colleagues in the new team, Dr. Megan Mathias, who is the Group Director for Policy and is leading the new integrated policy function, and also with Dr. Anuschka Muller, who is the new Director for Corporate Planning Performance, who is leading the Government plan work that the Minister referred to. So collectively it is an opportunity in the new structure to make sure the Island Plan services the needs of the whole Island and the whole Government. It is obviously a functioning planning document, but also takes into account the wider socioeconomic challenges that the Island is going to have to address.

**Deputy K.F. Morel:**

Am I correct that you ... have you worked in planning before?

**Director of Strategy and Innovation:**

Yes. I am not a planner by trade, but I have managed a planning team in the past and have done similar work.

**The Connétable of Grouville:**

So when does the consultation start for the new plan?

**Minister for the Environment:**

Right, on the detail we are setting down ... obviously the target that we have adopted is the plan to be lodged late next year, 2020, the idea being a debate and adoption during the first and second quarters of 2021. That is the target and we have the £600,000. So obviously I have not yet seen the worked-up timetable, so I think I am going to ask my colleagues to pick up that point, if I may.

**Director of Strategy and Innovation:**

Yes, I am happy to speak to that. Yes, so the question was specifically around consultation, I think? So there are a couple of forms of consultation. Those of you who have been through the Island Plan process may remember there is an initial consultation, which is at a higher level, on some of the big strategic options and issues, and we would expect that to follow later this year, towards the end of this year. Then there is further consultation on specific site options and the detailed planning which will follow in 2020 ahead of the plan being lodged. There is also a range of ongoing engagements so there will be an opportunity to keep Scrutiny close to that, but also to make sure we are having the right conversations with external stakeholders and people who have intelligence that can inform our thinking about what the future requirements of the Island will be. Then obviously towards the end of the process there is the formal examination in public, which is where the independent inspector will review the evidence base and take some of the key issues that have come up through the process and consider those further. Then there is the further public consideration through the Assembly itself at the adoption stage.

**The Connétable of Grouville:**

Are you worried you are going to run out of time? Because developing a new plan is going to take some time and there is ... well, 2021, I am not sure whether it is June or July it has to be in by law, does it not?

**Director, Planning Policy and Historic Environment:**

Yes, we have to lodge the plan by the middle of 2021, that is right.

**Director of Strategy and Innovation:**

No, at the moment we are quite comfortable. There is obviously a wealth of work already underway on an ongoing basis. We are reviewing at the moment the full evidence base, looking at where the priorities are for updating that et cetera, and that is the plan we will be putting in place for the next 2-year period.

**The Connétable of St. Brelade:**

On the face of it, Minister, do you envisage much change from the 2011 plan?

**Minister for the Environment:**

Well, I do not see myself any change to the core ... change to what I call the Island spatial policy, that we concentrate development in built-up areas generally and that we protect our open green areas. I think fundamentally I would be very surprised if there is any push to change that. From my perception I do not see that, but I do think there will be some things we need to do. For example, I think we have to address the issues about sustainable village communities, which is coming across in terms because obviously those villages were originally family areas and they have become very much ... the age profile and demographics have changed drastically and being able to sustain that quality of Jersey life I think that is an issue that will need to be addressed as part ...

**The Connétable of St. Brelade:**

Do I take from that you would support the proposal of St. Peter, which is coming up?

**Minister for the Environment:**

No, I do not think you can take that, because I think there are a number of principles. Firstly, I think we would want to see that any changes in the villages are based on proper village plans and that therefore there is effective engagement with the community and to also ensure that the sites chosen and so on are those which fit - which make sense, if you like - with our planning priorities. Of course, what we have in the St. Peter site is a loss of a very substantial agricultural field, which is a valuable contribution and of course it is very much out in the open area. Obviously if I go further than that, I think I would be ... you know, I could share my thoughts with you of the sort of ideas I would have on this that would need to go through the Island Plan process that Steve has described. Because, you know, I can have ideas and thoughts, but they have to go through public engagement. They have to go through a public inquiry, and they have to go through States Members for adoption. But I would see limited small-scale developments in those village communities, trying to confine any development to the edges of the development, using borne-out brownfield sites and so on to try and allow limited expansion. I think it depends on also to what extent what numbers we are looking at. Obviously there is the migration policy, which is set to ... which I am a member of, which will have to set which of those targets that the Island seeks to achieve. That will set our housing targets. Obviously ...

**Deputy K.F. Morel:**

The migration policy seems to have been kicked into the long grass.

**Minister for the Environment:**

No, the older one does, but this new group is set to work one up.

**Deputy K.F. Morel:**

In time for the Island Plan?

**Minister for the Environment:**

Yes, very much so, as far as I am concerned.

**Deputy K.F. Morel:**

That is good news.

**Minister for the Environment:**

That is why I have gone on the group.

**The Connétable of St. Saviour:**

One goes with the other. We cannot have one without the other.

**Minister for the Environment:**

Of course we cannot, no. There is no way ... absolutely right, Connétable, we cannot have ... I do not think we can, otherwise we end up with ... and this is my problem about the St. Peter scheme coming forward at the moment. It invites an ad hoc decision which I do not think is the best. I think there are other opportunities there that I think we need to plug into an Island-wide piece of work. Of course, my worry about if we had to do that, it will divert efforts away. If the States approve the St. Peter proposition, then the advice I have given is it would divert us away, all our efforts away into doing an interim review purely for that, which would be bound to affect the long-term plan. I do not know if one of my colleagues wants to comment on that, but ...

**Deputy K.F. Morel:**

Just quickly, when do you expect the migration policy to be ...?

**Minister for the Environment:**

I am sorry to tell you this, I have not had any meetings there, but when I do get to one - and I am not sure when the date is - I shall be banging the table and making absolutely sure that is our target, because otherwise the Island Plan is wrecked. So I will take that ...

**The Connétable of Grouville:**

We have never stuck to a target before. What makes you think we are going to stick to this one?

**[Laughter]**

**Minister for the Environment:**

Well ...

**The Connétable of St. Saviour:**

We live in hope.

**The Connétable of St. Brelade:**

Yes. Thinking of targets - I am conscious of the time, Minister - I am going to just ask you, the Jersey Gas site consultation is open and due to close on 2nd April. Can you let us know how soon after this date you intend to publish the outcome of that consultation?

**Minister for the Environment:**

As soon as possible, because I was asked whether we need to do it at all. Because obviously there was previous work done and the States have made their decisions very clear on what they expected to happen there, that there would be an extension of the Town Park and a reduction in the number of dwelling units. Personally, I thought those were very wise decisions because I have always been worried about the extent of overdevelopment of housing in our town area and not having enough open space. But equally we need to go through a proper, informed process and also the issue of below-surface car parking, which I think was an opportunity missed. Because when they did the Town Park, frankly they should have done the car parking underneath that area and it was not done. I am hoping this ... so this is essential. So, yes, but obviously as soon as it is possible and we get the results of that, I will make sure we pick it up. Can I ask Mr. Pilley?

**Director, Planning Policy and Historic Environment:**

Yes. It is a piece of supplementary planning guidance, so the Minister is able to adopt that using a ministerial decision. So the consultation is due to close on 2nd April, so once we have collated all of the feedback, had an opportunity to review that and provided that to the Minister, then he should be able to make a decision fairly swiftly thereafter.

**The Connétable of St. Brelade:**

Good. The final subject I want to speak to you about is the draft European Union (Animal Health and Welfare) Regulations, which are coming up.

**Minister for the Environment:**

Yes, if we could swap over, please, yes.

**The Connétable of St. Brelade:**

Yes, sure, indeed. It is just that ...

**Minister for the Environment:**

Because this is entirely procedural and obviously I anticipated you may want to talk about the substance behind this, so I invited Theo to the meeting.

**The Connétable of St. Brelade:**

Indeed. Clearly it is a gap-filling exercise with a time limit on it, but ...

**Minister for the Environment:**

Yes, and this is purely the procedure to deal with an interim problem that we potentially anticipate because of the Brexit situation, the ability to be able to put in place legal at short notice. This is what this is empowered to do, if I can ... but obviously substance is ...

**The Connétable of St. Brelade:**

You are?

**States Vet:**

Theo Knight-Jones, the States vet. In order to carry on with our current policy of controls for health status for animals in Jersey, much of which is based on import/export controls, things have to be certified, be of a certain standard, they do not have rabies, lots of other examples, we have to amend the legislation which forms the foundation on which we apply all these controls. Much of it is heavily integrated into E.U. legislation.

[13:30]

Also the changing nature of the U.K. no longer being in the E.U. means some parts of our legislation do not make sense or do not cover the U.K. anymore and a lot of animals come and go. So there is no intention to change any policy, raise or lower our standards of these health controls, but in order to carry on we have to carry out a lot of amendments to all our pieces of relevant legislation.

**The Connétable of St. Brelade:**

Do you think there will be any change to the ordinary person perhaps taking their dogs to France and bringing them back in any shape or form? Will the procedures be the same as now?

**States Vet:**

I guess there are 2 things. We can control the level of controls that we apply for people coming back. That is what we say: "You must meet this standard" and that is going to carry on the same after Brexit, whatever happens in the short term and medium term foreseeable future. Obviously we have no direct control on what the E.U. would require for animal health status for when our

protocol 3 arrangement ceases. It is sort of defined in the E.U. legislation what third countries have to do. We are in the process at the moment of through ... well, we are in tandem with the U.K. talking with Brussels to try and set up acceptance of animals and animal products from Jersey in the event of a no-deal Brexit. That is sort of like a parallel piece of Brexit work. That is to try and maintain that we can still have a flow going out.

**The Connétable of St. Brelade:**

Does that apply to the oyster fishery and exports?

**States Vet:**

I think they are the most affected industry or the most affected industry in the area that I work in, so animals, people sending animals or products made of animals, because they are so integrated.

**The Connétable of St. Brelade:**

What about bull semen, does that fall into the same ...

**States Vet:**

They do not send huge amounts to Europe, little to nothing, and even the dairy as well, they send a small amount of butter, I have been told, to Denmark, one small pallet a year. Another part of this legislation is to ... in order to be able to export anywhere in the world the importing country will speak to the exporting authority and say essentially: "Show us that you have control over this and can enforce standards." So for that we have to all of the legislation in place. A commonly-held gold standard across the world is the E.U. standard so we would want to be meeting at least that.

**The Connétable of St. Brelade:**

This indicates that these orders will ... or the ability to make these orders would fall away at the end of 2020.

**Minister for the Environment:**

Yes, that is a procedure thing because obviously this covers ... I can imagine that there is a whole lot of complexities embodied within here and obviously one anticipates that some of these situations are going to be quite difficult to predict. They might occur as a matter of urgency, for example, on a certain importation: "Where is this and this piece of paper? Where is this regulation?" and so on. So the ability for an order to be drafted and then for myself to enact that - or in my absence, Gregory - is important to have so that we have the ability to ... but obviously it is not desirable in the longer term. This is an interim power which has been put as time expired because I think it is important it is. Of course by doing it by orders, if anything were to go wrong, of

course subordinate legislation by orders can be rescinded by a proposition and a debate, as you know. So I think there are safeguards in this.

**Assistant Minister for the Environment:**

It is being done across all ministries. You have seen those laws.

**The Connétable of St. Brelade:**

Yes, a similar thing. Just to go back to the effect to the public, I am not quite clear at this stage. Those who take their dogs to France, if they perhaps have properties over there, will understand the procedure of getting ... well, it is really on the return. Going does not seem to be a problem, but coming back, getting the dog wormed and so on before it comes back, will that change?

**Assistant Minister for the Environment:**

Sorry, it is the contrary. Right now going to France was not a problem. Going back here, if you were coming back into the British Isles, we still have control over that. That is not going to change. However, we have become a third country to the E.U. or to France. They will consider all dogs alike, if they came from South America or Africa or Asia, so they will require a different treatment, the same as they apply to those animals, and unfortunately we are trying to see how closely we can follow it or whether we can have a special deal done for us, but it is unfortunate. It is going to be a difficulty.

**The Connétable of St. Brelade:**

So I presume that you will not know this until after 29th March?

**States Vet:**

On this aspect, on what the E.U. require of us to send animals out, I would say yes, we do not know. I mean, it highlights the short-term nature. Dogs is one area that affects a lot of people, but in the size of economic impact it is not a criteria, but this affects everything, all animals, all animal products from the U.K. and Crown dependencies.

**The Connétable of St. Brelade:**

So in terms of the message I am trying ...

**Assistant Minister for the Environment:**

There is an existing procedure. If you brought a dog from Brazil there is an existing procedure, so we can use that. It is not impossible that we ... so there is something we can use. We are trying to make it better.

**Minister for the Environment:**

We want the legal authority to do things. I think when these situations occur obviously the normal ... unless we were to pass this one, then we would require regulations to go to the States and the timescale and so on, which would mean that we could not deal with short-term positions.

**The Connétable of St. Saviour:**

We get asked a lot at parish halls about taking the dogs. Is it better that we refer them to you as the States vet so that they would know? Because there is nothing worse than taking your dog away and then coming back and then finding you cannot bring it back and you are both separated. The dogs do not quite understand, animals do not understand separation.

**States Vet:**

We send them mostly to their local vet because they are the ones carrying out the procedure and we authorise them to do all of this certification and then if they have questions they can come to us. So it is a mixture of local vet and ...

**The Connétable of St. Saviour:**

But it is best to check with the vet, do you think, before they attempt at this moment in time?

**States Vet:**

Yes, within 2 weeks, you know, a few weeks' time, it is going to totally change and those who are not aware of that will have a big problem. We have done quite a lot of publicity on it, but ...

**The Connétable of St. Saviour:**

There are still a lot of people who do not know.

**Assistant Minister for the Environment:**

But again, coming will not be the problem. It is getting to France where the French will say: "Sorry, you are a third country. I want to see also some documents" for illnesses that we have never had in the U.K.

**Deputy K.F. Morel:**

Can I ask, in the event of a no deal, is the oyster fishery still in danger of being refused entry to France?

**States Vet:**

Yes, they have a big threat with no deal. In the E.U. legislation there is a difference between pet cats, dogs and ferrets. They have a mechanism to get there. You just have to get an extra

vaccination, do a blood test. You can do it and it just takes a bit of organisation. Unless you are approved by the E.U. as a third country that can export animals or particular animals and animal products to them, then they cannot get there. This applies to all animals, livestock, food from the U.K. as well, and Crown dependencies, to getting into anywhere in the E.U. So it is colossal. It is a colossal issue, a sword of Damocles dangling over us.

**The Connétable of St. Brelade:**

I appreciate that, yes.

**States Vet:**

There is a process to get approval for the U.K. and Crown dependencies going on right now. Like all these things, it seems to be going on and until we see ... and this all applies if there is no higher-level deal or any transitional period. A betting man would expect a transitional period at least.

**Deputy K.F. Morel:**

A betting man expects nothing in regard to Brexit.

**Minister for the Environment:**

The marine team led by Greg Morel is working as part of the Brexit team and of course this ... there is the issue, and I think it is well-known, the issue of potential ... if there is no deal, the issue of imposition of tariffs. Of course, not only is there the regulatory thing ... from my point of view I do not think we are going to know until 29th March. We might get a clue a bit earlier as to which way it is going to go, but obviously in all of the Brexit planning we have sought to put ourselves in the position that we have in place the relevant machinery if it is necessary to do so. This is an essential part, but it is ...

**The Connétable of St. Brelade:**

That is really the best that can be done.

**Minister for the Environment:**

I think it is and obviously it is time-limited, but it is a massive issue, I am afraid, the whole issue of animal and fisheries and so on.

**The Connétable of Grouville:**

How much time was spent developing that? Because it must have been done in a bit of a hurry really.

**Minister for the Environment:**

I think you need to talk to the lawyers. I have to say this, and I need to say it on the record. There has been a phenomenal response from the Jersey civil service on the Brexit team and I have been so impressed with the effort that has been put in.

**Assistant Minister for the Environment:**

We have changed 200 pieces of legislation to adapt. That is just one and it has been in the pipeline for a long time.

**The Connétable of St. Brelade:**

An awful lot of drafting, yes.

**Minister for the Environment:**

It could not have been done unless we had adapted in the way that our structure has been adapted. It has been absolutely impressive to listen to and the complexities, I have to tell you, I am sorry to say, a lot of it goes over my head. I get the essential points, but there are just hundreds of pieces of law. I think it illustrates the point I was making not about the animal health earlier, but it is about the issue of environmental standards. Clearly those are the 2 things, environmental standards, you know, I do not see any case for us weakening our environmental standards whichever way it goes, and clearly I think that is the message you are giving in terms of animals and so on. It is the same theme, to maintain what we do to make sure that we can still ... because we have to trade and work with our neighbours and they want to trade with us, so it is a 2-way thing, but this Brexit has got in the way, that is the trouble.

**The Connétable of St. Brelade:**

Minister, I thank you. I am conscious that we have overrun the time and I thank you and your officers for coming today and presenting in such a knowledgeable manner.

**Minister for the Environment:**

Thank you for that.

[13:40]