



# Environment, Housing, and Infrastructure Scrutiny Panel

Quarterly Public Hearing

**Witness: The Minister for the Environment**

Wednesday, 21st June 2023

**Panel:**

Connétable M.K. Jackson of St. Brelade (Vice-Chair)

Connétable D. Johnson of St. Mary

Deputy M.R. Le Hegarat of St. Helier North

**Witnesses:**

Deputy J. Renouf of St. Brelade, The Minister for the Environment

Deputy H. Jeune of St. John, St. Lawrence and Trinity, Assistant Minister for the Environment

Mr. K. Pilley, Head of Place and Spatial Planning

Ms. L. Jones, Acting Head of Environment and Climate

[11:00]

**Connétable M.K. Jackson of St. Brelade (Vice-Chair):**

Welcome, Minister, Assistant Minister, and your team. I am going to start by introducing ourselves, I am Mike Jackson, vice-chair of the Environment, Housing, and Infrastructure Scrutiny Panel.

**Deputy M.R. Le Hegarat of St. Helier North:**

Deputy Mary Le Hegarat, District North, a member of the panel.

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

David Johnson, Constable of St. Mary, member of the panel.

**Assistant Minister for the Environment:**

Deputy Hilary Jeune, Assistant Minister for the Environment.

**The Minister for the Environment:**

Deputy Jonathan Renouf, Minister for the Environment.

**Head of Place and Spatial Planning:**

Kevin Pilley, head of Place and Spatial Planning.

**Acting Head of Environment and Climate:**

Lisette Jones, the acting head of Environment and Climate.

**The Connétable of St. Brelade:**

Thank you very much. So welcome to this quarterly public hearing with the Minister for the Environment. We have a series of questions to go through and I will start off by asking Deputy Le Hegarat to kick off.

**Deputy M.R. Le Hegarat:**

Minister, on 5th June, you lodged the Draft Public Health and Safety (Rented Dwellings) (Licensing) (Jersey) Regulations 202-. If approved, these regulations would make it a requirement that rented dwellings need to be licensed under the scheme that would commence on 1st January 2024. Can you outline for us what the main differences are between this proposition and previous iterations of the draft regulations?

**The Minister for the Environment:**

Yes, so when I took over this portfolio, I obviously looked at some of the things that had gone before and one of them was this. I wanted to see whether the proposals that have come before were appropriate and what my legal responsibilities were. Obviously, under the 2018 law, I have the responsibility to ensure the safety of private rented dwellings. I looked at various options to do that and I concluded that licensing was the best way forward. So what I then wanted to do was make sure that the scheme that we brought addressed some of the shortcomings perhaps of previous ones, and I think one of the problems was there was complexity in the previous schemes and I tried to make it simpler. Two very specific things I did was address the question of fees, which was mentioned quite a lot in the debate, and the previous proposal had gone in with I think a proposal that they should be free, and this was widely regarded as lacking credibility. I think the general view was you may be saying it is free now, but obviously it is going to go up or fees will be introduced. And so I wanted to explain very clearly where we were with fees and so I said to officers I want to

base fees on the cost of the staff involved in the monitoring of the scheme. So it is not an exact science obviously, because what staff costs are involved - and we do not know exactly how many rented properties there are - so spreading the costs across the number of rented properties involves an element of guesswork. But, nevertheless, based on that, we came up with a figure roughly of £30 a year that would meet that. I committed also to the fact that we already have those staff in place and I do not intend to increase the number of people in that department. So, in other words, that fee basis is the fee basis and therefore it is not the case that that is going to go on increasing year on year as we add more people to the team. So that was a key difference, I think. Then I am just trying to think what the original scheme said now that was different. Yes, 2 years instead of a year. I think that responded to the fact that there was a feeling that a year ... the potential to have to inspect properties every year was considered onerous given that, if a property has passed one year, it should not necessarily be assumed that within a year it would deteriorate that much. I think the landlords were keen for a longer time period. My view was that if you went too much longer than that then indeed you could see potential changes in the property, so I felt 2 years was a reasonable compromise on that. I think I have also committed to introduce the code of practice on minimum standards, which was an option in the 2018 law. The 2018 law says that the Minister may introduce a code of practice. The aim of that is to clarify and expand on the 30-odd areas of safety in properties. So there are categories around fire hazard, around smoke hazard, around electrical hazard, around falls, around mould, and so on. Those are set out in the law in a fairly broad-brush way and the idea of the code of practice is to provide more detail to say how you would meet those. So again I think that responded to the feeling that more detail would be helpful for landlords to understand whether they would and how they would meet the standards, and it would be less arbitrary. So those are 3 things.

**Deputy M.R. Le Hegarat:**

Okay, bearing in mind you have given a fairly comprehensive answer to the first question, is there anything in addition to that, in your view, that will make this proposition more likely to be successful and adopted by the States Assembly, where others in the past have failed?

**The Minister for the Environment:**

It is very difficult to second-guess the Assembly, as you will very well know. I have engaged a lot. In fact, last night I was at a meeting with mostly landlords, a public meeting, and I have tried very hard to engage and to provide a scheme which is comprehensible and understandable and proportionate. That is the case I will be making to the Assembly. It failed by one vote last time, we have a different Assembly. I would hope that the Assembly will see the merits of the scheme. In the end, what we are asking is for people to fill in a form every 2 years and pay £60. I do not regard that as an onerous expectation, given that we have a documented, evidenced problem with low-

quality housing for some of our most vulnerable people and we should be tackling that. It is a source of shame that we have that problem and I do regard it as my duty to try to do something about it.

**The Connétable of St. Brelade:**

Can I just pick up on the time, the 2-year inspection period, would there not be merit in aligning those inspection periods with the mandatory electrical inspections and perhaps fire inspections, which are 3 years at the moment?

**The Minister for the Environment:**

You mean in terms of making the whole things a 3-year thing?

**The Connétable of St. Brelade:**

Yes. Aligning those inspections so that landlords are not having it done piecemeal.

**The Minister for the Environment:**

The issue around inspections is that we will not be inspecting most properties. Most properties will not be inspected as a result of this. We have 6 staff plus one support staff involved in this. We will be inspecting properties that are either complained about or which we, for various reasons, might regard as high risk. It is not the intention to go and inspect all properties. We could not do it and it is pointless. If somebody has just built a new apartment block and they are letting it out, the chances of that failing to meet minimum standards, why would we waste our time doing those kind of inspections when we have people who are either complaining, and in the past the point is, when people have complained to us, they usually say to us that they will not allow us to take it further. They will complain to us with the instruction that they want us to know that this is going on in this Island, they want us to be aware, but they do not want it to be taken any further forward. In fact, I was talking to the group director of regulation yesterday after the meeting and she said every day she hears officers trying to persuade people who have phoned in with complaints to go public with it. Invariably it fails because the fear, justified or unjustified, of some kind of comeback ...

**The Connétable of St. Brelade:**

Eviction.

**The Minister for the Environment:**

It is not eviction in a technical sense, is it, because that is illegal in Jersey to just evict people? But what it is usually is a fear that they will not get their tenancy renewed or that there will be other repercussions for them. So we know that is what tenants feel and so I think the question of the inspections would be targeted on those areas where we knew, and the key difference being that we would be able to say when we did an inspection that it was a random inspection. The landlord would

not know that we were inspecting because of a complaint. Because we will advertise the fact that we are doing random inspections. We cannot do random inspections at the moment because we do not know which properties are rented and which ones are not.

**Deputy M.R. Le Hegarat:**

Notwithstanding the positive impact these regulations may have for tenants and improving conditions within the rental property sector, what work is being carried out, if any, to assess any negative impact or unintended consequences the regulations may have on private landlords? Has an impact assessment been carried out in this regard and, if so, what was the outcome, if not, why?

**The Minister for the Environment:**

It is interesting this, a formal impact assessment, no. But the reason why that is the case is that the landlords themselves have been quite happy to have a registration scheme. So this was proposed by the Landlords Association as an alternative to licensing. The point about a registration scheme is that in terms of the administrative load it is identical to a licensing scheme. Identical. In other words, the same data fields on the same computer programmes will be filled in. It is just it would not be attached to a licence, it would simply produce a list of properties that were available for rent. So I took the view that, if landlords were happy to fill in a form for that purpose, then the additional overburden of a licence is the fee and the potential for the withdrawal of a licence. That is the key additional factor. Now that is the essential part of the scheme, the withdrawal of the licence. So the potential to withdraw the licence. Because it allows us to respond flexibly and sensitively to potential problems with the property. For example, if there is an inspection of a property and you find that there is a problem with mould. So what are we going to do about that? It can trigger a conversation, which begins with: "Okay, we would like you to address this. How would you propose to do it?" And only if there is persistent non-compliance would we move to a point where we were moving to a point of the licence withdrawal. But the fact that sits there gives teeth to the enforcement process. It is different to the present situation where the only sanction we have is the criminal law. That is a very high bar to cross for any tenant, for example, who would have to sustain a complaint through the legal process and no prosecution has been successful yet in the 4 years that the law has been in place. Certainly law officer advice is that they would prefer a scheme where there is a redress that sits before the criminal law is invoked. In other words, some method of dealing with these problems that did not involve going to the criminal law, except as a very, very last resort, it still exists.

**The Connétable of St. Brelade:**

Just picking up on the mould issue, and the mould is not uncommon particularly in older properties, which are perhaps lagging behind today's build standards. But the reality is that those mould issues are dependent very much on the tenant of the day. The balance is how much fault can be

apportioned to the landlord for the behaviour of a tenant. That is a source of concern to me. So the landlord, it seems to me, is immediately criminalised where it is not really their fault.

**The Minister for the Environment:**

That is the point of introducing this scheme, is to try to address the issue. We know mould is an issue and in the U.K. (United Kingdom) it has become a very high-profile issue because of the death of that poor boy where the coroner declared that it was indeed a black mould that had caused the death. This is a public safety issue. So the question is how is it addressed. The purpose of having the licensing system is the ability to engage. Yes, it could be, I do not accept that it is automatically the case that the tenants are the issue, it may be that investment is required in the property to bring it up to modern standards. It may not have double glazing. It may not be at the required standard. This is an attempt to make sure that our rented property, particularly in sectors where the most vulnerable people of the Island are tending to stay, are housed in decent accommodation. Not luxury accommodation; it is not about how thick the carpet is, it is not about whether there is a huge widescreen television or not, it is about minimum safety standards that can mean they have some basic dignity.

**Deputy M.R. Le Hegarat:**

I have a bit of an off-piste question here. When you mentioned about double glazing, we have to acknowledge that quite a lot of our rental property may be old property. Is there going to be anything that is going to be coming forward to consider how people can modernise some of these older buildings?

**The Minister for the Environment:**

The 2018 law makes it a requirement for property to meet minimum safety standards. That is already in place. So landlords have several options.

[11:15]

They can invest in improving their property, they can sell to somebody else who is prepared to invest, or they can withdraw it from the market. But what I do not think is acceptable is to continue to rent substandard accommodation when there are remedies available.

**Deputy M.R. Le Hegarat:**

What I think my point was, is not about my lack of want to make the property to a standard. I will give you an example of what I mean. In my first term of office, when I was canvassing, I had Great Union Road and Aquila Road and there are some very old Victorian houses within those streets. Now they cannot have double glazing. What I am trying to say is, it is fine, fully accepting that we

need to invest in our property, but there are properties which you are restricted as to what you physically can do to them because of the other legislation. So is there any sort of thought about how we are going to potentially be able to allow people to upgrade properties? I fully accept grade listings and all of that, this might not be your remit, but what I am saying is: what are we going to do to assist those with older properties to be realistically able to upgrade them?

**The Minister for the Environment:**

So I think that it is my remit, I cannot duck out of that one. So listing is under my remit. So, yes, I hear this sometimes that there is a conflict between the listing requirements and the need to modernise and so on. I think what I would say is that, whereas 15 to 20 years ago there were very few options available, I think there are more options available now in terms of double glazing that meets heritage standards. Kevin, you may be able to fill me in a little bit more on that?

**Head of Place and Spatial Planning:**

Certainly the Island Plan that was approved by the States in 2022 refreshed the policy framework for dealing with change to historic buildings and there is more flexibility around dealing with things like historic windows and the potential for installation of double glazing. So the policy framework has been refreshed to reflect some of the changes that the Minister made reference to. So things like the fact that double glazing is now much thinner and, in some instances, it can be installed within historic window frames, so the policy framework has been revised to provide more flexibility.

**The Connétable of St. Brelade:**

You could argue of course that putting double glazing in reduces the airflow and creates mould, colder in winter of course, but ventilation of course is quite key, is it not?

**Head of Place and Spatial Planning:**

You are right, Chair. Clearly the way historic buildings are designed to be heated is different to the way that modern buildings are designed to be heated. So that has to be taken into account as part of the design of that.

**The Connétable of St. Brelade:**

I think one question I might put on the back of that is would you anticipate there being guidance to property owners to bring their properties into line, to bring them to an approved stage, rather than just have the inspectors go in and say: "You cannot let the place"?

**The Minister for the Environment:**

No, it is absolutely clear that the aim of this is never to go in and just ... no, I will say this slightly differently. That in most circumstances you would not be going in with the intention of just saying:

“You cannot rent this.” The only circumstances in which that would happen is if there was a danger of such serious magnitude that the people had to be removed from that property immediately. I cannot imagine that would happen often, but it might be, for example, bare electric cables or something like that. So, in general, the process is to engage first of all: “Here is what we perceive is the problem. We think it needs this. What is your comment on that?” Then to try to reach an agreed framework, a timetable of works, and the aim is to be flexible about that: “So there is a shortage of roofers at the moment, so there is leak in the roof, so we will give you 3 months.” Or to try to discuss. If it turns out there has been heavy rain and work has not been possible for some reason, then that also is a mitigating factor and you would not want to enforce immediately on that. The thing that we have done, to build in a little backstop following discussions with the landlords, is in the past one of the other changes, to come to your very first question, is that the only appeal if a licence was withdrawn by an officer would have been to the Royal Courts, which is obviously again a very high threshold and time-consuming and very expensive. So we have introduced instead an appeal to the Minister so that the first point ... we have not removed the right of appeal to the Royal Court but we have put in a new layer, which is an appeal to the Minister. So, if a licence is withdrawn and a landlord feels it has been done unfairly, then there is an appeal to me.

**Deputy M.R. Le Hegarat:**

Okay. The final question from me, we have heard anecdotally that social housing providers are suggesting that the significant costs of compliance will end up going on to the existing rental figure without providing any tangible benefit to tenants. Do you consider that there is a credible risk of this being an unintended consequence of the draft regulations as currently drafted?

**The Minister for the Environment:**

I am not quite sure what that refers to because I know that obviously nobody wants to pay an extra fee, but we are talking £30 a year per property, which in my rough calculations is about 0.1 per cent to 0.2 per cent of the rent for a typical apartment. It may be slightly more for social housing given that they have slightly lower rents typically. But it is a tiny, tiny sum. It is about 60 p or 70 p a week. If that is going to be the increase to tenants, I would argue that is a price worth paying for a guarantee of decent accommodation. If what they mean is that the cost of compliance with the law, in other words to raise the standard to the required standard is the issue and that is going to add to the cost of rents, I reject that argument, because those are the legal minimum standards. They are in place now, they have been in place for 4 years, properties should be meeting those. This new licensing scheme is about the methods by which we enforce those standards, not the introduction of new standards. So those standards are mandatory.

**The Connétable of St. Brelade:**



Do you not consider that - well I think focusing on Andium as one - it is an arm's-length government organisation, are we not regulating ourselves and creating more cost for ourselves?

**The Minister for the Environment:**

We are. But I think it is appropriate. I do not think we can give a free pass to an organisation just because it is a government-owned organisation. I think private landlords would have a legitimate case to say: "So you are going to let off your own government-owned organisation and not regulate them." I do feel very strongly that regulation in general has to be applied equally, whether we are talking about La Collette, whether we are talking about the St. Aubin's Bay issue we had last week, I always have in the back of my mind how would we treat this if this was a private operator. Regulation should be impartial and independent and apply equally to all operators in the market. I just really fundamentally believe that.

**The Connétable of St. Mary:**

The distinction between the cost of licensing as opposed to maintaining standards, just going back to a comment that Deputy Le Hegarat made earlier though, I do not want to put too much emphasis on windows, because I have been in that area before in my Parish and in my own home as well, but there are older properties, which have windows, and it would cost under the current regulation an awful lot of money to put in double glazing to the extent that heritage might want. I hear the comments made about being more flexible, but I just do question whether they are flexible enough. We have had situations where well-respected carpentry firms have been able to produce something, which looks, even from 5 yards away, exactly as was, but they are not acceptable because they have not got the measurements as before. I mean how far does that flexibility go and are you prepared to be more flexible?

**The Minister for the Environment:**

We have had the Island Plan in place for a year now and I do think there is often a lag in understanding and people appreciating that those changes have taken place. So I would be very happy to look at individual cases where that might have happened. But I would encourage people to look again at the new rules rather than rely on the hearsay of: "Oh, planning, they do not understand and they do not get it."

**The Connétable of St. Mary:**

Thanks for that reply. You might well get new cases.

**The Connétable of St. Brelade:**

I am going to move on to the bridging liquid waste strategy, Minister. So we note that in the strategy reference is made to the supplementary planning guidance on minimum density standards. To what

extent has this guidance taken into account the strategies proposed and the work that will need to be carried out on the network dependent on the guidance proposed?

**The Minister for the Environment:**

I am trying to work my way through that question. I think what you are saying is to what extent does the supplementary planning guidance for the rezoned housing sites take account of the sewerage issues?

**The Connétable of St. Brelade:**

Yes, that is it.

**The Minister for the Environment:**

It does, because that is one of the key things that it identifies. In fact, there is a table in there somewhere I think, which lists the rezoned housing sites in relation to the sewerage network and zones them into white, green, and red, or amber and red. There are a number of issues at some of the sites. I think they have been relatively recently identified. If you look back at the history of this, I do not think it was fully understood at the time the Island Plan was debated that some of these sites would have capacity constraints. I was not here for that so I might just play a card there and say it was not my responsibility. But I think, to be fair, when people bring forward sites, there is a relatively short period of time to examine them. The constraints may not be fully understood at the time when those are brought forward. Work has to be done to analyse the situation. For whatever reason, I do not think the full extent of the bottlenecks in a few key areas were understood at the time the Island Plan was done. But it is now understood and that is in the supplementary planning guidance and we now have a bridging liquid waste strategy, which is clearly identifying the priority need to deal with those and a funding bid to try to achieve that.

**The Connétable of St. Brelade:**

One is hearing anecdotal evidence once again that applications from developers in those areas, which will be compromising those bottlenecks, are going through. Do you feel that needs closer attention?

**The Minister for the Environment:**

I would be surprised if an application was going through to add. I have had the opposite complaint, which is people putting in planning applications and being turned down because of what they regard, not unfairly really, as something beyond their control. Because the sewerage network cannot handle the additional load in that area. They basically have to wait until such time as the network can cope with it. Certainly, also, we have had letters from people saying that they are on soakaways or tight tanks, and they have applied to join the network and been told they cannot until that investment has

taken place. I have not heard of cases where new developments have been approved, which have added, in capacity-constrained areas, to capacity load. I do not know if you have heard anything, Kevin?

**Head of Place and Spatial Planning:**

I have not, Minister, but there may be, depending on the nature of the application, opportunity to deal with challenges around drainage, whether that is foul or surface water, by managing it on site or managing it through some local improvement. So in some instances there may be conditions attached to permits or planning obligation agreements where developers pay for some local upgrade. If that still means that the site can be viable and brought forward then developers may be prepared to do that if it means their site can come forward. So I think it very much depends on the locality, the local capacity, and the nature of the development.

**The Connétable of St. Brelade:**

There has been discussion about attenuation tanks in various areas of the Island. They will be significant-sized tanks. Would you support the placing of those, I suppose it is best to say, in appropriate areas?

**The Minister for the Environment:**

I support the strategy. Given my role in determining planning applications, I cannot really go much further than that. I do not think there is a free pass just because we need sewerage tanks that we put one wherever somebody says we need one. There are still the normal requirements of a planning process are required. But I do think absolutely it is a priority to sort out and I would expect the planning system to be as flexible as it can be within its rules of operation to enable that to happen.

**The Connétable of St. Brelade:**

Thank you. Has a figure been confirmed in relation to the housing density of affordable homes as described in proposal 21 of the bridging Island Plan? How will this affect the bridging liquid waste strategy once housing density has been confirmed?

[11:30]

**The Minister for the Environment:**

It depends on density. The density standards are different for different types of site. So the density standards that are proposed are higher in town and then lower in the built-up area and then lower still in the countryside. So I think the situation is slightly different for each area. It is a highly place-specific set of issues.

**Head of Place and Spatial Planning:**

What I would say, Chair, is that most of the rezoned housing sites are on the edge of built-up area, mostly Parish centres, and the Minister's proposed density standards recommended a minimum density of 35 dwellings per hectare in those instances. So most of those rezoned sites, we would be looking for them to achieve a minimum density of 35 dwellings per hectare, but as the Minister said, the design of development on each of those sites will need to have regard to the local context in terms of looking at how many units of accommodation are delivered on those sites. The work that we have done with colleagues in Infrastructure and Environment, the drainage team, they have modelled the impact of likely levels of developments on those sites using the 35 dwellings per hectare to look at what the implications of development there will be for the local drainage infrastructure. So they factored that into their modelling.

**The Connétable of St. Brelade:**

Would the department support tight tanks in those denser areas, given that is an option at the moment?

**The Minister for the Environment:**

The bridging Island Plan specifically says not septic tanks. I know they are different and I do not know whether there is a word on that.

**Head of Place and Spatial Planning:**

As the Minister said, there is a policy framework for dealing with drainage implications of developments and there is a hierarchy of options. Clearly connection to the public system is the most appropriate route for all sorts of reasons around managing impact on the environment and risk of pollution, all of those sorts of issues. Clearly in relation to all of the affordable housing sites, where there are challenges around local capacity, particularly on foul drainage, we would encourage developers to talk to our colleagues in Infrastructure and Environment to make sure that any local solutions that are potentially available are robust and resilient. What we do not want to be doing is creating future problems where there is going to be risk to Island groundwater supplies and things like that. So the development of these sites needs to be appropriate and will need to sit within the policy framework that the States has approved, not just for delivery of homes, but also for provision of basic infrastructure.

**The Minister for the Environment:**

Given those density standards as well, if you are thinking about the number of tight tanks that you would need, the number of vehicle journeys you would need, it does not sit easily with a lot of our other policies.

**The Connétable of St. Brelade:**

I think cost to our future householders as well would be a pertinent point. What date are you targeting to publish the final supplementary planning guidance that will take account of the feedback from the consultation that took place between October and November last year?

**The Minister for the Environment:**

There were 2 different ones, there was H9, the housing in the countryside, and the minimum density standards, those 2. I think they are currently being reviewed. They are quite complex. There are some complexities around those issues, quite a lot of feedback. I think we are aiming for next month, is it?

**Head of Place and Spatial Planning:**

That is right. So, as you will be aware, Chair, we have issued a range of supplementary planning guidance recently. So, as the Minister said, density and housing outside the built-up area was the subject of consultation last year. As the Minister said, we are reviewing that guidance and our reports will be going back to the Minister either later this month or early next month. We then have a whole range of guidance on things like parking standards and residential space standards. They will follow to the Minister. Then it is the affordable housing sites development briefs, they are out to consultation at the moment. Short-term holiday lets is in the pipeline too.

**The Connétable of St. Brelade:**

In other words Airbnb.

**Head of Place and Spatial Planning:**

That is right, yes. So there is a range of guidance, but specifically in relation to housing there is a natural sequence in that density, parking, and space standards are critical factors that influence the design of development on the rezoned housing sites. So the proposal is that they get resolved first and then the guidance on the rezoned housing sites will follow. As I say, that is still live at the moment, it is due to close on Friday. So that is still open to consultation. But we will review the feedback on that in due course. But we do aim to issue that slug of guidance some time over the summer.

**The Connétable of St. Brelade:**

Staying with the bridging liquid waste strategy and the impact on your department, one of the key aims detailed within it is to review surface water management and identify areas where works are required to reduce the flooding risk and making allowance for climate change. What input and/or discussions have you had with other Ministers, or particularly the Minister for Infrastructure, to

ensure the recommendations from the strategy meet the needs of the Island in ensuring a reduction of flooding risks and making allowance for climate change?

**The Minister for the Environment:**

You are talking here about bow-tie gates and similar?

**The Connétable of St. Brelade:**

Yes.

**The Minister for the Environment:**

I would say that is a very active area of discussion, not just within the Department of Infrastructure, but with Jersey Water and with other stakeholders where we have to think about the total picture. We have to work out how we are managing catchments, how we are using our reservoirs and ensuring, from the infrastructure point of view, that the drains are kept clean and that the capacity, if there are bottlenecks ... one of the things that came out of the review of Grands Vaux was one particular short section is a relative bottleneck. So it is a total examination of the issue and we talk about it all the time and there are regular meetings on this, particularly in the context of reviewing Grands Vaux, which has become a trigger I guess for exploring those issues more widely. So I think there is pretty frequent consultation there.

**The Connétable of St. Brelade:**

Are you satisfied the strategy is sufficient to guard against pollution risk? Clearly when we get heavy rain you get the storming situation from the sewers. Do you feel that there is adequate mitigation in place?

**The Minister for the Environment:**

In terms of pollution, are you talking about pollution of the seawater from overflow going into the sea?

**The Connétable of St. Brelade:**

There is that side of it and also when the system storms it will find its way in all sorts of places and particularly private plants can become overwhelmed very rapidly.

**The Minister for the Environment:**

At the moment, I think we are still working on that strategy. Is it sufficient? Well we are working to make it as sufficient as we can. These are situations where unexpected events can happen. The Grands Vaux flood was a case in point where a storm, a low-pressure system effectively stalled over Les Platons and dumped a huge amount of rain on the biggest catchment in the Island. The

resilience that we have, we build in as much resilience as we can, and that is the aim of the strategy. Whether it is going to be sufficient, I think that would be quite a big claim.

**The Connétable of St. Brelade:**

What further work is being carried out to mitigate these risks posed really by ... you could argue it is climate change, or whether it is just heavy rainfall, and how do these workstreams align with the proposals made in the bridging liquid waste strategy? Are you doing any work on this?

**Head of Place and Spatial Planning:**

Yes, I can pick up on a couple of points there, Chair. In terms of managing things like surface water run-off, when the Island Plan was approved by the States last year, it introduced assessment of flood risk as a new consideration in the planning process. So certainly for new developments greater regard should be had to the potential for that development to contribute to things like flood risk. There is something called S.u.D.S. (sustainable drainage systems), which is really a way of managing the amount of surface water that comes off new developments. The idea with sustainable drainage systems is that you slow or decrease the amount of surface water runoff from new developments, so that is around making sure that the design of the development captures as much water on site as possible and returns it slowly. So things like swales and various water attenuation measures on site, designed to slow down that discharge of surface water from new developments. So that is something that is now built into the planning system and should be delivering in relation to new development. The other thing that was highlighted as part of some of the work that was done for the Island Plan, and that was the strategic flood risk assessment, so that looked at flooding, both inland and coastal, all the way around the Island. One of the recommendations coming out of that was that we look at things such as water catchment management. So that means looking at the Island's major water catchments and looking at how land is managed and whether you can instigate more favourable management regimes again to slow discharge of surface water.

**The Connétable of St. Brelade:**

Given that we will get surface water, have you got any thoughts about encouraging rainwater reuse on sites, as is done in some countries?

**The Minister for the Environment:**

Yes, I feel very strongly about that. That should be something and we do have measures in the Island Plan to encourage that. It is also worth highlighting that we are starting work scoping out the water strategy, which was a piece of work mentioned in both the Island Plan and the carbon neutral roadmap as an important piece of work going forward. The aim of that is to take a very holistic approach to these issues so that we look at water management, not just from the point of view of managing floodwater, but in terms of reducing the amount of input into the drainage system, because

we are more efficient in our use of water, in terms of domestic storage, use of greywater, and then also managing pollution issues and so on. So that water strategy work, the scoping for that is now underway and that will be a significant piece of work over the next year or 2 from this department.

**The Connétable of St. Brelade:**

In terms of quality of water and nutrient levels in it, do you feel that is being adequately managed through the bridging liquid waste strategy or is that another workstream in itself?

**The Minister for the Environment:**

Do you mean in terms of nitrates?

**The Connétable of St. Brelade:**

And other nutrients within the water, but principally nitrates, yes.

**The Minister for the Environment:**

We have already a pretty sophisticated system for trying to control the delivery of those kind of contaminants into the water supply. There is a working group, which brings together farmers and Jersey Water and Government and I think a few other stakeholders. That has been very successful in terms of targeting known areas where there may be high levels of contaminants and therefore reducing inputs into the fields. There has been a significant drop in nitrates as a result of that. I would have to get back to you on other particular contaminants, I do not have those figures to hand, but that work is already in train and delivering quite effectively. It is a good example of industry collaboration.

**The Connétable of St. Brelade:**

We have seen over the years the excessive nitrates manifesting itself in terms of sea lettuce in St. Aubin's Bay particularly. We have a new sewerage treatment works. Do you see that effect reducing? It is probably early days this summer, temperatures have not come up as they might do yet. But do you see that reducing?

**The Minister for the Environment:**

It should reduce a bit. But the biggest way we can control that is through the inputs. As I say, there is lots of work that has been going on, ongoing with that, working particularly with the potato industry to reduce the inputs. There are less fields being farmed because a lot of work has been done to align production with demand, so rather than producing too many potatoes, which has happened in the past, focusing on just making sure we grow enough potatoes for the market, which means we need fewer fields and fewer contaminants, so the total load decreases. The sewerage treatment plant, I am advised, will lead to potential reductions in nitrates, but we did not put in a specific nitrate



removal plant. It was costed, I believe, at about £40 million and the decision was that it would be far more cost-effective to reduce nitrates at source. That is happening. I can send on to you a graph that shows how nitrate levels are dipping. They are comfortably below where the European standards sit on this and the trend is downward.

[11:45]

So I think that strategy is working.

**The Connétable of St. Brelade:**

That risks taking agricultural fields out of that sector. Should we not be encouraging food production, shall I say?

**The Minister for the Environment:**

It does not imply that they leave agricultural production altogether, it implies that growing potatoes matches the actual markets for potatoes. Those fields are still available for other uses. I know there is an attempt to do much more rotation as well so that although a field may not be used in any given year, it will be part of a rotation system to reduce the loading on any one particular area, on any one particular field. I think that work is ongoing.

**The Connétable of St. Mary:**

Yes, so if I can go back to one of the chair's earlier comments about the surface water not going into the drainage system. I recall a presentation being given, I think, 3 years ago at the farmers conference, probably by Jersey Water, saying they would hope the time will come where developments would ensure that each property would have its own catchment operation. I say this, having lived in a house, my first house, where the main water supply was in the roof; not very sophisticated I have to say. But how far are we away from making it conditional that new developments have their own catchment provisions?

**The Minister for the Environment:**

That will be progressed through the water strategy. I am very much in favour of it. The pushback will be that it adds to the cost and complexity of plumbing in a house and so on. There are also quality issues that need to be addressed. But obviously you can have separate pathways for rainwater not to be used for drinking water necessarily. But it does add complexity and we need to explore those issues and make sure that we are not being too burdensome in terms of the cost piled on to construction. But, in principle, we have to go there and I think my overall aim in my mind is that, I think, we have a relatively low per-capita consumption of water, water-metering worked in bringing it down. I think it is around 115, 120 litres per person per day. I think we should be aiming

for 100. I think we could call it Project 100 and aim to get Jersey into the world-beating class in terms of reducing water consumption, which will help our resilience in terms of water supplies but also help in terms of the sewerage issues we have been talking about. The less water you are taking in, the less you are putting down through the system. I think there is a lot of work we can do on that but the vehicle for advancing it will be the water strategy and building by-laws.

**The Connétable of St. Mary:**

Okay. By way of extension of what you just said, on getting down to a maximum or a recommended maximum 70 litres per day, could that be encouraged by the charging system per household? Is that down to Jersey Water?

**The Minister for the Environment:**

That is a very interesting question. Jersey Water, for very obvious reasons, are a relatively small water operator in a relatively small jurisdiction. A flat charging structure obviously is less complexity to administer and, therefore, does not add much to their costs. There are other systems, I think they are called moving-block charges where you have a block of water that would be charged at one price and then if you use more than that there is another more expensive tier and so on; you can use that flexibly and play different tunes on it. I am attracted to that.

**The Connétable of St. Mary:**

Like Sand Street car parking in fact.

**The Minister for the Environment:**

Yes, basically the more you use, the rate increases. At the moment obviously the more water you use the more you pay but the point of a moving-block charge system is that the rates that you pay would increase. I like that system, I think it might have wider applicability. I think you can have electricity and things like that but that is a by-the-by. The question of whether it is appropriate in this Island and what the implications of it would be, I think we do have to be sensitive to that and explore it, but I am certainly up for exploring that.

**The Connétable of St. Mary:**

Thank you.

**The Connétable of St. Brelade:**

The bridging liquid waste strategy once again refers to strategic proposal 4 from the bridging Island Plan, which is a creation in the west of the Island planning framework. When do you anticipate publishing the west of the Island planning framework? Is this work currently in progress?

**The Minister for the Environment:**

I think we answered a few questions in the Assembly on that, was that specifically St. Brelade's Bay?

**Head of Place and Spatial Planning:**

I think that was St. Brelade's Bay.

**The Connétable of St. Brelade:**

I suspected that, yes.

**The Minister for the Environment:**

That is for the actual majority. Do you want to ...

**Head of Place and Spatial Planning:**

Sure. As the Minister suggests, I think the St. Brelade's Bay Improvement Plan is subject to a time target, as set out in the Island Plan. It was added to the plan by amendment. The Minister is due to deliver on that this year. The wider piece of work is not currently programmed in our work for this year but it is something that we will look to incorporate in the Minister's future programme.

**The Connétable of St. Brelade:**

As what I was really focusing on is the proposed fields for redevelopment in the St. Peter's area and the airport area and how they might be affected and how you might consider them, given the potential network restrictions.

**The Minister for the Environment:**

In terms of sewerage?

**The Connétable of St. Brelade:**

Yes.

**The Minister for the Environment:**

I think that is probably being addressed through the supplementary planning guidance, is it not?

**Head of Place and Spatial Planning:**

That is right. I think the bridging liquid waste strategy makes specific proposals to deal with those network issues in the west of the Island. While it has come to light around some of the rezoned sites in St. Peter, for example, it is looking at capacity more generally in the west of the Island too. I think any west of Island planning framework would need to look at the infrastructure implications

of that. Certainly our colleagues in drainage are aware that that piece of work is going to be looked at, so they are mindful of the potential that that might have in terms of creating additional demands on the network.

**The Connétable of St. Brelade:**

Do you know how many planning applications have been rejected on the basis of insufficient drainage capacity?

**Head of Place and Spatial Planning:**

I do not have that data, Chair, but ...

**The Minister for the Environment:**

Yes, I think that would be very hard to answer because they might not even get advanced, that might pre-empt advice.

**The Connétable of St. Brelade:**

Right. Yes, indeed. Over to you.

**The Connétable of St. Mary:**

A slightly different subject, well not too different, climate change resilience. As we entered into the summer months with already extreme lengths of time without much rain, what adaptation planning as regards climate change is taking place?

**The Minister for the Environment:**

I feel like some of that I have addressed in the sense that in the short term we can address that through demand management. We do that whenever there is a drought, whenever there is forward scanning that suggests we might be heading into a drought period, then meetings are convened, the well-rehearsed sort of responses are triggered and we start advising people not to use more water, and then we escalate from there. There is a well-established procedure for dealing with that. Has it been adapted more recently in the light of climate change? I do not think so. I think we just ...

**The Connétable of St. Mary:**

It is an ongoing thing.

**The Minister for the Environment:**

It is an ongoing thing. Certainly I am exceptionally mindful of the fact that we are entering a different climatic regime, effectively, and we are seeing it year on year now with long periods of drought,

easterly winds, instead of westerlies and followed by sudden downpours, and that is not the traditional pattern in this Island.

**The Connétable of St. Mary:**

As for reduction of consumption, has there in fact been much in the way of public advice over the last couple of months on that?

**The Minister for the Environment:**

At the moment the reservoirs are at normal, so they are 93 per cent full, according to my latest figures that we were just given a few days ago; that is normal for the time of year. It reflects the fact that we did have a very wet period at the start of the year. While we have been in drought periods during June, the start of the year was wetter than normal and in fact we are now trending below average rainfall but that trend has only gone below average in June. Up until that point we were hovering around average or above average but now the cumulative rainfall total for the year is below average and there is no forecast of significant rain for a period now.

**The Connétable of St. Mary:**

An actual follow-on question on that is use of the desalination plant, usually on the table at this stage within Health, and you might need it or how soon you might need it.

**The Minister for the Environment:**

You are welcome to ask Jersey Water about it. We went on a visit there last year and it is clear that the desalination plant when it was originally designed was designed with the idea that it would be switched on very intermittently. The equipment was spec'd on that basis and Jersey Water have gone through a programme of upgrades to increase the resilience of that plant so that it can be run for longer periods without jeopardising the reliability of the equipment, so they have invested very significantly in that. There is an acknowledgement that we will rely more on desalination in the future.

**The Connétable of St. Mary:**

Will it kick in when the water levels get below a certain percentage ...

**The Minister for the Environment:**

Yes. They have quite sophisticated modelling. I say it is quite sophisticated, it looks quite sophisticated to me. In terms of predicting where demand is going, so last year, for example, when it was switched on it was not because the reservoirs were getting empty at that moment but what they had seen was a very rapid decline in the reservoir capacity. It was still above what you would normally in the past have said we needed to switch on the desalination plant but they acted in

anticipation because they could see the steepness of the decline and they wanted to get ahead of the curve on that. They do look at a whole range of sort of parameters when deciding that, and obviously we now need to act quite cautiously, given that the desalination plant is our only backup. Once we start exceeding that supply, then there are no other options.

**The Connétable of St. Mary:**

Okay, thank you.

**The Connétable of St. Brelade:**

Moving on to another area then, the low-carbon heating incentive. Back in May an incentive scheme was launched - bringing the Assistant Minister into play - by the Government to encourage Islanders to move into environmentally-friendly heating systems. Can you briefly update us on the take up of that scheme?

**Assistant Minister for the Environment:**

Absolutely. Yes, it was launched on 15th May and just to explain that, before that we had a pilot scheme launched at the beginning of the year to take 8 properties, domestic properties, through the heating incentive, to kind of also take our contractors through that because they are having a contractor quality scheme. The contractors who are supporting this incentive have to go through this scheme. We had 8 domestic properties that went through this scheme at the beginning of the year. Since the launch I think it has been very successful. I do not know the exact numbers, I mean we look at Lisette, but I know personally I have been getting a lot of emails, phone calls and even having some meetings with those who want to get on to this scheme but are needing a bit more support on that. Maybe Lisette ...

**Acting Head of Environment and Climate:**

Yes. As a prerequisite of joining the scheme, householders have to get an Energy Performance Certificate completed at their property, so that is our kind of best indication of the interest. Within the first week our applications for the Energy Performance Certificate subsidy went from 10 a week to 100 a week. That was kind of the initial level of demand we have seen. It has obviously dropped down but we are seeing about 40; so 40 additional applications for the home energy order over the last few weeks, so that is where we are at. Because of how we have the scheme structured, you do not make an application until you are ready to press go on the work happening. So we are still kind of in there; I think we have had 45 applications to the actual incentive to date.

**The Connétable of St. Mary:**

My next question you have partly answered about the update of information for public knowledge. Are you going to be issuing progress reports for the public so that they will know?

**Assistant Minister for the Environment:**

Yes, absolutely. Also, probably in the end of quarter 2 with quarter 3 we will also be launching this incentive scheme for non-domestic properties and also for landlords and for social housing. We will then, again, at that time when we launch it and widen the scheme, we will also readvertise this for domestic properties as well.

**The Connétable of St. Mary:**

I appreciate the initial scheme, it cannot be done for landlords and the home.

**Assistant Minister for the Environment:**

Not at the moment. We wanted to separate out, so first have for owner-occupied properties at the moment and then launch around quarter 3 to extend that as well.

**The Connétable of St. Mary:**

Thank you. Given its success, was the incentive element really necessary? Would not people naturally have done this in any event?

**Assistant Minister for the Environment:**

I think the incentive is the one that triggers it. I think we have always talked about the fact that the incentive is to help support those to go towards that change. I think it has been important and I think because it encompasses also Energy Performance Certificates, so part of it is about energy efficiency as well, so having that and understanding what the benefits are.

[12:00]

As Lisette was explaining, before you press go and getting the incentive you get all the information from the contractor about the energy performance of your building, about the emissions that you currently have and the reduction that you will have and also the cost. There you can then make that informed decision to then say, yes, we can go ahead with incentive because for many people it will be a matched funding. It will be £5,000 with that matched funding, so of course that is an incentive but there is a substantial amount to put in ...

**The Connétable of St. Mary:**

Yes, I do understand. What we are really saying is that this panel have become more and more aware of the cost and what is required. One might have thought they would have done it of their own accord in fact without the incentive but you still maintain it was essential.

**Assistant Minister for the Environment:**

Of course this is the start, we are looking probably at about 1,000 properties that will be able to with the amount of the budget that we have at the moment. It is, hopefully, also supporting the contractors. Part of the scheme is for the contractors to go through this contractor quality scheme to help build contractors in Jersey to develop their skills around the new technology, and that really is something that we really strongly support is that building green skills in Jersey. A lot of these technologies are new and it is going to be hard for those people who are wanting to do the change to find those contractors that are able to give that kind of advice that they want to and also, with that knowledge of the cost, doing it right as well. Because we do not want changes to happen and then property owners to find that cost has increased but the energy efficiency has not been met and that they have not really known full knowledge before they have agreed to this kind of change. Also, our incentive is to encourage the contractors to build their skills as well.

**The Connétable of St. Mary:**

Yes, you have prompted another question which was not on my sheet, which is: have we got resources? You say we have not got resources to meet the obvious demand at the moment. You are using this as a leverage to create a new type of workforce.

**Assistant Minister for the Environment:**

We have got the resources for now. We want to ...

**The Connétable of St. Mary:**

I do not mean financial resources, I meant work resources, human resources that put ...

**Assistant Minister for the Environment:**

Yes. We had 4, I think, who have finished the scheme, that they are at the moment on the website that people can then contact and help go through the scheme to get to the point of where they can press go to get the incentive. Since the launch in May we have had a huge increase in those contractors coming forward who would like to go through the scheme. We are hoping to take them through the scheme and there is a specific work programme for that. We are working with Highlands for this scheme and this is quite a big part of this whole thing, is that building green skills. Obviously of course it is not just the installation of the new technology, it is also then the maintenance, et cetera, afterwards and knowing that on-Island we have people who can come and be the maintenance and ensure that we continue with that, making sure that costs are low and the energy efficiency is still there, so that is part of the whole scheme.

**The Connétable of St. Mary:**



Okay. Apologies, I have deviated from my sheet here. The J.E.C. (Jersey Electric Company) are obviously involved in this, has there been much feedback from them as to the success or ...

**Acting Head of Environment and Climate:**

I am happy to answer that. Yes, so we are working very closely with J.E., who have been appointed the scheme administrators, so they administer the grants on our behalf. There has been really, really positive feedback from them about the level of interest within the Island and from contractors to take it through. Yes, it is really positive and I think for them it is about also kind of partnering with us to upskill the market. I think the real key thing that we are kind of adding in here is the skills around the sizing and design of the right heating system for the right property. That is a really key component of it and the value that J.E. really see about getting the right heating systems put in.

**The Connétable of St. Mary:**

Okay, and a follow-up which goes after an earlier question is: to what extent are you aware that demand for this initiative might create a backlog of existing heating installations? The current workforce involved in servicing present ones, will they not be tempted to move on to this and will it leave a backlog for servicing existing installations?

**Assistant Minister for the Environment:**

I would hope not because also I mean there is a bit of a time lag in the sense of, like we said, there is that building up of the knowledge. You have got 2 or 3; the E.P.C. (Energy Performance Certificate) first to get a performance certificate. Maybe you would have to do some insulation ahead of the time, which may not be the particular contractor. It is a different set of skills that also need to be that, so it is a group of potential people who are involved and contractors involved in the different installation bits of that whole scheme. I think we said about 3 months or 4 months between beginning and end, so there is a time lag. I do not think from that there will be a change of demand.

**The Minister for the Environment:**

The other point is that the total number of houses is not changing much. Those places that will have the new system would have had an old system and they would have been serviced before and the total number ...

**The Connétable of St. Mary:**

Okay, I take your point.

**Head of Place and Spatial Planning:**

Yes, will not necessarily increase total demand, I do not think, for those services. It is just a different mix.

**The Connétable of St. Mary:**

In another life, we had a panel where they looked into converting from oil-fired boilers. I know one gentleman ceased his operation as a boiler maintenance man, he is now earning his money for taking away boilers. So I mean there are sort of side effects.

**The Minister for the Environment:**

The economy adapts.

**Assistant Minister for the Environment:**

Yes.

**The Connétable of St. Mary:**

The final question on this and we have already covered it to an extent, the overall rollout has been properly administered and monitored, so you are aware of ...

**Assistant Minister for the Environment:**

Absolutely.

**The Connétable of St. Mary:**

... potential pitfalls and problems which any householder might have and what you say it is going to be phased into different areas?

**Assistant Minister for the Environment:**

Yes. Of course we had a business case which went through all the different scenarios as well. But there is also a call line to help if there are concerns with the contractor's installation. There is an ability to phone and make an appeal to say that there are problems as well there. There is that ability to raise concerns. We will also be monitoring through J.E. as well with them, as the administrators of the scheme, to know how it has gone with any insulation as well, so, yes.

**The Connétable of St. Brelade:**

Just to finish off on this one: are you satisfied that the J.E.C. have the resilience in their network to provide adequate electricity to all parts of the Island?

**Assistant Minister for the Environment:**

Yes, there is definitely resilience. There are some areas where they do not get to and of course that is the bigger discussion about needing to do those extensions to that, and obviously that is part of the discussion if a homeowner needs to put in the electricity, the extension that is needed from the

road to do that. We have been told that for many of the technologies that we are suggesting under this incentive scheme do not need to have increase; I think it is called 3-phased connection.

**The Connétable of St. Brelade:**

Three-phased supply.

**Assistant Minister for the Environment:**

It does not need that because, as Lisette said earlier, it really depends about the size and the age of the building in what the technology is going to be advised by the contractor. That does not necessarily mean that there needs to be this new installation and ...

**Acting Head of Environment and Climate:**

Yes, if I could add to that, part of the design of the scheme and our kind of co-operative working with J.E. on this is look at how we can streamline that process. The contractors, working with contractors and J.E. to understand more easily whether the electricity supply needs to be upgraded as part of the heating system work and kind of working it into the whole process of the design of the heating system, as well as the energy efficiency work to try and bring the actual increased demand down kind of as low as possible. Sometimes it is helping to kind of make decisions based on what technology is chosen for the property. An electric-fired boiler, for example, has a very high electricity demand but a heat pump is a much more efficient kind of apparatus. The whole decision-making framework that we are kind of creating means that we are trying to help people make the decisions that take into account the cost of these potential upgrades with a 3-phased electricity supply and, therefore, trying to get them to think about investing in improving the energy efficiency of the property and reducing the demand so that they do not hit that threshold.

**The Connétable of St. Brelade:**

I think what I am looking at is the spinoffs from the J.E.C. having to reinforce the resilience of their network and the consequences that has in other areas. The question is, have they got a plan for areas of the Island? I am referring particularly to St. Aubin at the moment where a massive amount of work is being done and a large number of properties will have an upgraded ability. But the consequence is not insignificant on everybody else when all the roads get dug up and the consequence of that. I think I am looking to see whether J.E.C. have plans in progress in different parts of the Island so that other agencies can plan around that.

**Assistant Minister for the Environment:**

Yes, they do have plans, I think it is a 10-year plan that they have put money towards that.

**The Connétable of St. Brelade:**

Good, right.

**Assistant Minister for the Environment:**

A significant amount of money towards that. You see the consequences, I suppose, around St. Brelade of the start of that implementation of that plan, yes.

**The Connétable of St. Brelade:**

Yes, okay.

**Deputy M.R. Le Hegarat:**

Still in relation to electricity effectively. Energy prices and energy efficiency, Minister, during our last quarterly hearing the importance of energy efficiency and getting households ready for increases in energy prices was highlighted as a key issue. Could you provide us with an update on this work, please?

**The Minister for the Environment:**

I think we have already, in a way, provided it because I think the main vehicle for doing it at the moment is through the carbon neutral roadmap work. But the Energy Performance Certificate, it already is but is going to become a more useful tool for that. I do not know whether you want to talk about that, either of my colleagues.

**Assistant Minister for the Environment:**

Yes. We still have the Energy Performance Certificate, it has been going since 2019 and we have had about 1,500 going through the issuing of the certificates so far. Of course the heating incentive will increase that demand, as we have heard, from 10 a month to about, I think, 40. We are looking at increasing that. But we are working towards making it mandatory. This work, and I think I talked about it at the States Assembly a few weeks ago, I cannot remember when, there was a question on this where we will be looking at taking this into the work into 2024, so bringing a consultation process and also a technical review. Really looking at the Energy Performance Certificate and looking at lessons learned from other areas because it is an established scheme in many countries, both European and in different places in the U.K. Then bringing that to make it a bespoke Jersey product ... it is already but we will use that review to make sure that we have got the right product in place for us. We will be bringing legislation in in 2025.

**Deputy M.R. Le Hegarat:**

To what extent do you consider the recent announcements from Jersey Electricity that the price rises from next year will impact on uptake from households switching to electric as part of the low-carbon heating incentive? Because obviously ...

**The Minister for the Environment:**

The risk is that people will see the electricity price rises and think we will stick with our oil-fired boiler. I think that is one possible interpretation but oil prices and gas prices have also been exceptionally volatile. In fact, in relation to that, electricity has been relatively - I will emphasise "relatively" - stable in terms of the prices. They have gone up 3 times now in the last 18-odd months I think but we are still only talking about a cumulative increase that has been well below some of the massive spikes that we have seen in oil prices. I have heard anecdotally of people wanting to get rid of oil boilers because of that spike and also people wanting to invest in solar panels and so on to give themselves some resilience against those things. It is a complex picture in terms of those incentives. I think the electric solutions are the obvious ones for Jersey. We are in a relatively fortunate position in that we have a significant stake in the electric company, so we can work closely with them and, hopefully, that will work to the interests of all Islanders.

**Deputy M.R. Le Hegarat:**

I think we have already covered the rest of that ...

**The Connétable of St. Brelade:**

Yes, okay.

**Deputy M.R. Le Hegarat:**

Energy Forum; in the last quarterly hearing you stated that an Energy Forum had been reconstituted and would hold its first meeting in April. Are you able to give us the objectives that were decided at that first meeting?

**Assistant Minister for the Environment:**

Yes. Since our last Scrutiny we have had 2 meetings.

[12:15]

The Energy Forum is now called the Energy Suppliers Group and we have agreed new terms of reference, which will be published on the website and including also our minutes of our meetings as well. We had agreed that we would meet up to twice a year but this year we are aiming to meet 3 times. We agreed to work on a work plan that covers, for example, the heating incentive, the electric vehicle incentive, Energy Performance Certificate legislation, which I just talked about, fossil fuel boiler new installation, the prohibition of that and the ban on fossil fuel boilers. Also, for example, that the ban on petrol and diesel car legislation to be brought in by 2030, so those kind of discussions. Last, but what we have talked about already, is the green skills. Under each of those

things I have just mentioned, green skills and upskilling is really important and it is something that those who are in the Energy Suppliers Group mentioned in our last meeting, which was only last week, that green skills and upskilling is absolutely key to any of this work and it is something that we build very much into any incentive that we do, and any of the work that we do is to ensure that we have got that underlying upskilling work as well that goes alongside any incentive.

**Deputy M.R. Le Hegarat:**

Will the forum produce any reports or any outputs?

**Assistant Minister for the Environment:**

We have the minutes that will be published on the website and those are actionable minutes. But it is a forum for the industry to be able to have a dialogue with me and with my officers about things that are coming up and about the incentives as well in the schemes. I think it comes back to Connétable Johnson's point earlier about that monitoring aspect. It is industry also being able to tell us what they are seeing and being able to make those adaptations when we need to.

**Deputy M.R. Le Hegarat:**

Okay, thank you.

**The Connétable of St. Brelade:**

I am going to jump through a couple of quick points; I am running short of time as always. Minister, you have got a broad umbrella department. Wind; it has been reported in the news that Jersey has been approached by several companies about building an offshore wind farm and that when questioned on wind farms in Jersey you have stated that it is on track for the timeline agreed in the carbon neutral roadmap, which would see work begin between 2030 and 2040. Could you give us a quick update on that, please?

**The Minister for the Environment:**

Yes. I think this is a terrifically exciting opportunity for Jersey and it is an area of intensive discussion in Government; the best way to try and exploit this potential resource. I think the thinking that is developing is that we should aim for a very large wind farm with the potential for significant export potential and that this would give us a huge economic opportunity, as well as helping us to increase the resilience of our electricity supply and also help stabilise prices. Obviously if we are operating a wind farm or the wind farm is operating in our waters, we will know the price of the electricity from that and be able to predict it into the future. I think it offers the potential for multiple benefits and I would hope that certainly within the next few months we would be hoping to bring forward some pretty significant proposals in terms of how we will do that. I would say that 2030 is where you might

sort of seek the construction phase but I would hope to be well ahead of that in terms of announcing what the project is and how we intend to progress it.

**The Connétable of St. Brelade:**

Good, thank you. Over to you.

**The Connétable of St. Mary:**

Right, deviating from our plan. My next question is to do with medicinal cannabis, which I appreciate was looked into by the Economic Scrutiny Panel last time round but it does largely impinge on our ground, and so I have a few questions relating to the report. The first one, the Jersey Cannabis Agency, at the time of the last review, that in Jersey it consisted of one person.

**The Minister for the Environment:**

The Minister for Health and Social Services.

**The Connétable of St. Mary:**

I think the Minister for Health and Social Services; that has not been extended. Can you elaborate on it, please?

**The Minister for the Environment:**

I am going to say no in the sense ...

**The Connétable of St. Mary:**

You are saying, no, you cannot elaborate on it.

**The Minister for the Environment:**

No, I cannot elaborate.

**The Connétable of St. Mary:**

Okay, thank you.

**The Minister for the Environment:**

In the sense that that is a health issue. In the particular areas of cannabis that I am obviously involved in, I have recently signed the order that gave effect to the decision that was made in the previous Assembly to bring work on cannabis within greenhouses, within the planning system, previously it fell under permitted development. Now any work to grow cannabis within a glasshouse structure will require a full planning application and an environmental impact assessment, so that that work is no longer covered by ...

**The Connétable of St. Mary:**

I am just inspecting my next question, thank you.

**The Minister for the Environment:**

I think that was important to reflecting the concerns that people had, that very significant developments had taken place within existing glasshouses that had not been subject to the kind of environmental scrutiny that they should have been, given their potential impacts. That, if you want to call it loophole, has been closed.

**The Connétable of St. Mary:**

Okay, well thanks for that. I mentioned the Cannabis Agency because I think the recommendation of that panel was that the Environment Department should be represented on that but ...

**The Minister for the Environment:**

What we have in Government is a cross-government group that meets regularly. This is a Ministerial and officer group and it includes the Minister for Homes Affairs, the Minister for Health and Social Services, me, the Minister for Economic Development, Tourism, Sport and Culture obviously. The aim of that group is to integrate work across Government. You are right, we have discussed the Cannabis Agency but I am afraid it has slipped my mind as to where we have reached ...

**The Connétable of St. Mary:**

Okay, all right, that is fine. Again, you might say this is ... I do not know, it might now be within your department, at a public hearing with the Minister for Economic Development, Tourism, Sport and Culture he enforced the importance of the industry and that we need a full set of regulations and that work was in hand. Again, is that something within your area? What you just said ...

**The Minister for the Environment:**

No, the only regulations that we deal with are the regulations relating to the planning side of things.

**The Connétable of St. Mary:**

Okay.

**The Minister for the Environment:**

There are other aspects in terms of the licensing and the quality of the product and so on that fall under different jurisdictions. But what we have agreed as a Ministerial team I think is that the industry is important. It is important that it is a well-regulated industry in every respect, so not just well regulated in terms of its quality of the product and the output in that sense but also that it is well



regulated in terms of how it operates in the Island, so that it is operating to a high standard in terms of people see it in the Island as a benefit and they will not see it like that if the industry is perceived as operating in a way that is not respectful of the environment and taking on board neighbours' concerns and so on.

**The Connétable of St. Mary:**

Moving on to the new regime, if I can call it that, what you just said, an application to conduct any form of cannabis growing would have to come to you.

**The Minister for the Environment:**

Yes. It is not retrospective, so it does not apply to existing glasshouse cannabis-growing but if an existing operation were to expand its growing footprint, then that would require a planning application.

**The Connétable of St. Mary:**

Previously cannabis was regarded as an alternative crop, it is now a separate ...

**The Minister for the Environment:**

It is unique. Usually you would have permitted development rights within an existing structure. In other words, a building has been built and this goes for a glasshouse, what you do in it is immaterial from a planning point of view under normal circumstances. But in the case of cannabis we now have this specific order which says that it is not exempt from control because the extent of work that usually goes on in terms of cannabis growing is way more than if you are growing tomatoes. There is often quite a lot of actual construction work of the plant and then there is the environmental impact in terms of water use, runoff, light pollution, noise and so on. It is a more significant operation than you would find with what you might call traditional glasshouse operation and that is why the rules had to be updated. It is just a more intense form of development.

**The Connétable of St. Mary:**

Thanks for that answer. A couple of points which can be merged into one, you referred already to the environmental impact assessment. There was a hybrid introduced, I think, by the Minister for Health and Social Services which was not of the same calibre as a full environmental one. But what you are saying is that ...

**The Minister for the Environment:**

It is now a condition of a planning application, whereas before my understanding is that the environmental impact assessment was part of the application for a licence to produce cannabis. That was not necessarily a public document; that was a licence application document. I think the

controversy around that was that it did not meet the planning ... people expected it because it had the name environmental impact assessment, that it would meet the planning standards and it was not designed for that, is my understanding.

**The Connétable of St. Mary:**

Okay, thank you. The E.I.A. (environmental impact assessment) then will cover such items as water and electricity because they are big users of both of those and you will take that into account.

**The Minister for the Environment:**

It will be a full environmental impact assessment and if there are omissions in it, then they will be needed to be filled.

**The Connétable of St. Mary:**

Okay. Again, just to clarify, just a final point on this, that will be submitted with the application and so it will be a matter of public record so neighbours can understand the commentary. Yes, that is fine on that topic then, okay.

**The Connétable of St. Brelade:**

Just to finish off the last few minutes, Minister: the Sea Fisheries Regulations, in February we adopted the number 2 regulations regarding vessel replacements. Can you update us on how many requests for vessel replacements have been submitted since our last quarterly hearing?

**The Minister for the Environment:**

I can, I will have to get back to you with the exact figures but it is of the order of half a dozen.

**The Connétable of St. Brelade:**

Okay.

**The Minister for the Environment:**

Most of those have been under the category where they had already commissioned the vessel before our scheme came into place, so that was an exemption category. But what I can say is that, notwithstanding that, the total size of the French fleet in terms of power and whatever is currently smaller than it was under sort of the starting point. In other words, more vessels have been retired than have been replaced at the moment. There is headroom at the moment, if you like, in that scheme.

**The Connétable of St. Brelade:**

Good. Minister, I think we have run our allotted time. I thank you for coming to attend today. If it is all right with you we will submit a few questions on our list, which we have not got to, so ...

**The Minister for the Environment:**

We did think it was an ambitious list.

**Deputy M.R. Le Hegarat:**

Always be ambitious.

**The Connétable of St. Brelade:**

Thanks once again and ...

**The Minister for the Environment:**

No, it is a pleasure. Yes, if there is anything you want to follow up with us we are always very keen to try and help.

**The Connétable of St. Brelade:**

Thank you.

[12:27]