

19-21 Broad Street | St Helier
Jersey | JE2 4WE

Deputy Steve Luce
Chair, EHI Panel
BY EMAIL

26 August 2022

Dear Deputy Luce

Re: Environment – workstream updates and Ministerial priorities

Thank you for your letter dated 28 July 2022 and your congratulations on my appointment as Minister for the Environment. Congratulations in return to you and your fellow Scrutiny Panel members on your new roles. I recognise there is considerable expertise and knowledge represented in the Panel, and so I look forward to working with you over the next 4 years, as I know does Assistant Minister Hilary Jeune, who has delegated responsibility for the Carbon Neutral Roadmap and energy policy areas of my portfolio.

I am grateful to you for allowing extra time for this submission. However, you will appreciate that as I write this, I am less than 2 months into my role. I am therefore still in the process of finalising my Ministerial Plan, as requested by the Chief Minister, much of which bears on the questions you have asked. This includes working on elements of the 100 day action plan that are relevant to the Environment Minister's brief.

Having said that, I hope the answers below give you a good idea of my priorities and the workstreams that are likely to dominate the first year or so of my time in office.

Workstream updates including but not limited to, updates on the implementation of the Carbon Neutral Roadmap, implementation of any subordinate legislation resulting from the adoption of the Planning and Building (Amendment No. 8) (Jersey) Law 202- (P.76/2021), as well as the current status of the Draft Food (Jersey) Law 202-

Carbon Neutral Roadmap

It is a priority of mine to implement the Carbon Neutral Roadmap in line with the delivery schedule shown in Part C of the Roadmap (pg 69). In particular:

- I have commenced a review of energy markets in line with Strategy Policy 2.
- I am also working on a Proposal to put before the States Assembly by the end of 2022 in respect of the formation of a Climate Council – an amendment to the Carbon Neutral Roadmap proposed by the previous EHI Scrutiny Panel.
- I am developing the policies in the Roadmap around the decarbonising of heating systems (HT1) and transport (TR1).
- A bespoke energy audit tool for commercial properties in Jersey will shortly be launched as part of delivery of the Energy Performance Certificate policy (HT3).
- I am also considering policy TR3 which seeks to accelerate the uptake of second generation renewable diesel (TR3) through a subsidy mechanism.
- In addition I am working with colleagues in Treasury on future funding of the Climate Emergency Fund.

Planning and Building Amendment No. 8

As you will be aware, most of the provisions arising from the most recent amendment of this law came into force on 12 August. I am pleased to report that work is underway in relation to the development of associated subordinate legislation which will give effect to some of the key changes brought about by this amendment, as follows:

- i) Operations to trees: Work is ongoing to develop those pieces of secondary legislation and guidance that are necessary to support this part of the amendment. This will include:
 - a. a new order, the draft Planning and Building (Operations to Trees – Exceptions) (Jersey) Order 202-, which will define those operations to or involving trees that are excepted from the meaning of development;
 - b. drafting guidance about works on trees that are exceptions from the definition of development (eg the meaning of ‘routine management’) and on the process of applying to have works done on trees where permission is required; and
 - c. preparing guidance about the appropriate criteria to be used for assessing applications for works on trees.

That part of the amendment giving powers to regulate works to trees (at Article 4(2)), will come into force when a Commencement Act is lodged with the States Assembly. This is being progressed and will be lodged as soon as possible pending completion of the necessary subordinate legislation, guidance and administrative provisions identified above.

- ii) Conservation areas: Work is ongoing to develop those pieces of secondary legislation and guidance that are necessary to be able to designate the first conservation area and then manage change within it. This will include:
 - a. changes to the Planning and Building (General Development) (Jersey) Order – to provide the revised regulatory regime as to when planning permission is required for operations within a conservation area;
 - b. a new order to define the designation process for conservation areas;
 - c. new regulations to make provision for the allocation of funds; create sanctions and offences and impose penalties for any breach of control;
 - d. potential incidental changes to associated legislation and tools such as the Planning and Building (Fees) (Jersey) Order; and the Chief Officer and Planning Committee protocols, as necessary; and
 - e. supplementary planning guidance setting out, in clear and simple terms, the process for designation and the management of change in conservation areas.

Draft Food (Jersey) Law 202-

The draft law is in its final stages of review. It is envisaged the draft law will be available for lodging for debate in Q4 2022. This is primary legislation opening the pathway for subordinate regulations and orders.

Ministerial priorities for the next 12 months

Some of these have already been mentioned, but I would like to signal particular priorities of mine. These will be further elaborated in my Ministerial Plan, but my comments here provide a starting point for discussion with the Panel.

- Tackle the climate emergency by reducing Jersey's carbon emissions in line with our net-zero target and improving our resilience to the impacts of climate change (as above).
- Protect and enhance Jersey's natural environment and heritage including a focus on protecting the island's geo-heritage, designating conservation areas, developing a marine spatial plan and better protection of biodiversity.
- Ensure the delivery of the homes and infrastructure that are essential to economic prosperity and Islanders' wellbeing and enhance the quality of places in the Island. This will include (but is not limited to) publishing development briefs for rezoned housing sites, developing a long-term Island-wide water strategy and developing new plans for key areas identified in the bridging Island Plan including, for example, an improvement plan for St Brelade's Bay.

An anticipated timetable of propositions under your ministerial remit which are likely to be lodged in the States for the remainder of 2022 and Q1 of 2023, as a starting point.

It is proposed that the following is lodged with the States Assembly (some of which has already been referenced):

- **Food Safety (Jersey) Law 202-**
Q3/Q4 2022: Introduce a new primary Food Law which will include regulation to allow the Minister to require registration of food businesses and the introduction of fees.
- **Changes to Residential Tenancy**
Q3/Q4 2022: Legislative scheme for the improvement of tenants' rights and creating a more level playing field for landlords.
- **Conservation area regulations**
Q4 2022/Q1 2023: Primary legislation necessary to deal with breaches of control and the potential funding of improvements in conservation areas.
- **CITES (Trade of Endangered Species)**
Q1 2023: A modification to existing law to allow for automatic species changes in Appendices in ambulatory accord with UK.
- **Proposal to form a Climate Council** originating from the Carbon Neutral Roadmap.

I also propose to develop the following secondary legislation:

- Planning and Building (Operations to Trees - Exceptions) (Jersey) Order

I hope the above responses are of use to the Panel and please do not hesitate to contact me if you require anything further.

Yours sincerely



Deputy Jonathan Renouf
Minister for the Environment
D +44 (0)1534 440593
E J.Renouf4@gov.je