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Deputy Hilary Jeune
Chair, Environment, Housing & Infrastructure Scrutiny Panel

BY EMAIL

15 April 2024

Dear Chair,

RE: Panel's comments on P.82/2023

My thanks to the Panel for providing these comments and recommendations. I wanted to respond ahead of the debate as I think there is much that we agree on and that I hope can be the basis for an initial consensus in the Assembly.

The Minister for Sustainable Economic Development and I have, separately, written to the Chair of the Economic and International Affairs (EIA) Panel and will start by addressing the elements of both Panels comments that were jointly prepared or are closely related. To support continued joint working I have copied each letter to both Panel Chairs, and to the Chair of the Scrutiny Liaison Committee.

Related points

I welcome the intention, through the Scrutiny Liaison Committee, to establish an Offshore Wind Review Panel (OWRP), should the States Assembly vote in support of P.82/2023.

I believe this combined approach will help provide assurance to the Assembly that detailed consideration is given to the substantial issues that will be raised. This, in turn, will give confidence to members that recognise that a stable political consensus is required for such a long-term project.

Your comments note the proactive approach taken to brief both the previous and current Environment, Housing and Infrastructure Panel, and I intend that this new Review Panel should also benefit from close and on-going engagement from my officers. Once you have formed your terms of reference and a scope for the review we would be pleased to liaise with the Panel to agree how best we can support your work.

With this in mind, I wish to make a suggestion. The Panel's first and second recommendations, together with the third recommendation of the EIA Panel, ask for additional information to be provided within six weeks of a successful debate on P.82/2023. I am content to provide our current position and expectations on these matters (recognising that these will evolve as the work progresses) in the form of a project update that includes, as requested:

- a more detailed timeline of proposed dates when further propositions are intended to be lodged for debate (EHI R1)

- a consultation roadmap outlining the next steps and providing a timeline of the key intervals where there will be opportunity for stakeholders and the public to engage and express their (EHI R2), and
- confirmation of ongoing Ministerial roles and responsibilities within the offshore wind farm project (EIA R3)

My suggestion is that the Panel may wish to receive this information (for which six weeks has been recommended) before the proposed OWRP confirms its terms of reference and scope (which is currently proposed to happen four weeks following the debate).

In addition, your third recommendation (that scrutiny should be provided with the draft business case and a briefing should be arranged at the earliest opportunity to inform Scrutiny of the options analysis process and to be apprised of the benefits vs. risks for various different options and scenarios under consideration) is very similar to the first and second recommendations of the EIA Panel (respectively, that the Council of Ministers should clearly outline the level of prioritisation it places on each of the potential benefits of the project; and that a clear cost and risk benefit analysis of an offshore wind farm should be produced prior to any further debate to allow for sufficient consideration by Scrutiny and the Assembly).

I am happy to confirm that work undertaken on strategic options appraisal, including associated costs, risks and potential benefits, will be shared with the Review Panel to provide for timely scrutiny and discussion, and I propose that the project update report, referred to above, should also confirm how and when this can be provided. This will include providing a position on the prioritisation given to different benefits by December 2024 as requested by the EIA Panel.

Specific points

You note concerns raised during the consultation regarding the negative environmental impact on wildlife. I confirm that these concerns will be considered in detail and appropriately balanced against the benefits that an offshore wind farm may bring. The scope and approach to Environmental Impact Assessment (EIA) will be established in the proposed new law and, as such, will be subject to appropriate scrutiny and consideration in the Assembly.

I note the Panel's confirmation that Deputy Warr's amendment is brought in his personal capacity and not as a member of the Panel. The Panel will be aware from comments lodged by the Council of Ministers that Ministers are committed to working with JE in all appropriate ways and fully recognise the value they will bring value to the project. However, ministers consider the amendment to be premature and have urged members to reject it.

Yours Sincerely,



Deputy Steve Luce

Minister for the Environment