



Corporate Services Scrutiny Panel

Population and Migration

Witness: The Minister for the Environment

Monday, 1st July 2019

Panel:

Deputy J.H. Perchard of St. Saviour

Senator K.L. Moore (Chairman)

Deputy S.M. Ahier of St. Helier (Vice-Chairman)

Witnesses:

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

Mr. S. Skelton, Director, Strategy and Innovation

Mr. N. Stocks, Immigration/Migration Policy Principal

[16:19]

Deputy J.H. Perchard of St. Saviour:

Good afternoon. Before we start can I just draw attention to the witness notice and can you confirm that you have read it and are happy to proceed?

The Minister for the Environment:

Yes, entirely.

Deputy J.H. Perchard:

Fantastic. Before we start with our questions, we will just do a brief round of introductions. I am Deputy Jess Perchard, I am a member of the Corporate Services Scrutiny Panel and leading on this review of population and migration policy.

Senator K.L. Moore (Chairman):

Senator Kristina Moore, I am the chairman of the panel.

Deputy S.M. Ahier of St. Helier (Vice-Chairman):

Deputy Steve Ahier, vice-chairman.

The Minister for the Environment:

John Young, I am the Minister for the Environment.

Immigration/Migration Policy Principal:

Neil Stocks, the Immigration and Migration policy principal.

Director, Strategy and Innovation:

Steve Skelton, director of Strategy and Innovation.

Scrutiny Officer:

Simon Spottiswoode, Scrutiny Officer.

Deputy J.H. Perchard:

Thank you. Minister, how are you contributing to the work of the Migration Policy Development Board in both your capacity as a Minister and a member of said board.

The Minister for the Environment:

Firstly, as a member of the board, extremely poorly and I am very disappointed in that. Obviously I got elected to the role of Minister in June 2018, a role I did not expect but obviously was up for. I found since then the programme of work extremely full, to put it this way. It is full-on every day. Obviously the range of responsibilities are very broad. So I have not been able to give anything like the priority to the work of the board that I would have liked. Taking stock at the moment, I notice there is no getting round this, I have been able to attend 2 meetings, 16th May, and although the minutes do not record my presence I am sure I was there because I remember the subjects, 4th April. The other ones I am afraid I was on holiday because I do find I need ... when I say "holidays", short breaks out of the Island. I need to do that in order to keep going. In any event, having said that, the 2 meetings that I have attended, and the feedback I had from others, is that the work that is basically going on is the research. So there is a programme of research that is in place and, in the meetings that I have attended, comprise those people that have done that work, talking and presenting their outcome, their findings, and then having some chat about usually to try and understand it, to make sure we get the gist of it. But on the meetings I have attended, the meetings have not been in policy setting mode. Looking at the programme of work, I think it was always intended that the policy development work, which is where I think I can make the biggest

contribution, would be later in the process. But there is a mismatch on the timetable, which I suppose might be one of the reasons why I did not establish it, give it the priority that maybe, if the timetable had been more urgent and we would have been policy setting now, I think I would have been full-on and not taken holidays. But I am afraid my diary just gets booked up so early. I think I should just say to the board, that my pre-election position was that I supported the introduction of work permits because nothing has changed my view that I do not feel that Jersey, as a special place as it is, with its wonderful environment, can cope with uncontrolled migration.

Deputy J.H. Perchard:

Thank you.

Senator K.L. Moore:

The point of introducing work permits was something that was within the previous policy that the current Government withdrew from debate before the debate was able to happen. Therefore, what other aspects of the policy are you hoping that will transpire in this new much awaited policy that is now underway?

The Minister for the Environment:

Personally, I was disappointed at the decision to pull that back. My suggestion, and I recall it, I cannot remember how I made it, informally or formally, was it could be adopted as an interim measure while any enhancement of the detail in the policy was worked up. I think the particular area I expected to see clarity was I recognise that we needed to establish priorities for migration that we would need and want to have. I certainly have never been in the view that we could effectively end migration. The Island is always going to have to need specialist skills and we are going to have to keep going as an economy. We have a fairly successful economy but personally I do not buy into letting the economy rip, as it were, at any cost. That, I think, leads to decisions being made about choices. Which industries are more important, which type of skills do we most have, what is our training programme to be able to ensure whether longer term we can prepare our young people to take on those roles? Those are the type of clarity that I did not see in the previous policy but of course I am no great expert on it because I was not a States Member. My knowledge of that was probably dependent on just like everybody else, but those questions in my mind were not answered. It is those questions that I am looking to make sure are answered in this new policy. But life does not stop and, in the meantime, as obviously I have highlighted, we have also to ... we cannot hold back from progressing the Island Plan, waiting for that panacea.

Deputy J.H. Perchard:

Thank you. I think we have got some follow-up questions but we will come to those a bit later.

Deputy S.M. Ahier:

What consultation have you had with the board in your capacity as a Minister? Have you been asked to appear before the board and have other Ministers been asked to appear?

The Minister for the Environment:

I do not know about other Ministers but the first invitation I think was at this meeting that took place on 27th June, which my Assistant Minister covered, and that was attended by, I think, the assistant director of social policy. I think that is Susan Duhamel. **[Aside]** Sorry, I am going to turn now to Steve Skelton because Steve is in the S.P.3 team and you went to that meeting with my Assistant Minister, Gregory Guida. Could I ask him to speak on that?

Director, Strategy and Innovation:

Yes, as the record shows, so they had an agenda which considered the relationship between their work and the Island Plan, issues of housing and issues of infrastructure and that was attended by myself and a number of other people from the Strategic Policy Department last week.

Senator K.L. Moore:

Is there no progress beyond issues? I think walk down King Street any Islander can tell you what the issues are. We are looking to the Policy Development Board to work up our policy priorities and the direction of travel, what the vision is of this Government.

The Minister for the Environment:

At the moment I have asked the question of where is the economic framework. I do not know if we have that yet but it is an element of the Island Plan that needs to be there. Yet, I am not aware that we have got that documentation. Steve, have we got that?

Director, Strategy and Innovation:

No, that is a piece of work that is in train as well. In answer to your question, I cannot speak for the board, but their scope recognises that requirement. It is just a question of them working through the process to get there in line with the arrangements that they have set out. At this stage, as the Minister suggested, they are still in an evidence gathering stage. That has been the substance of their discussions so far.

Deputy J.H. Perchard:

Minister, if inward migration of over 1,000 people per year was to continue, as it has since 2015, what effect would this have on the Island's environment, both the built and natural environment?

The Minister for the Environment:

We have seen migration. If I get the numbers wrong I apologise. Where we know is we have increased by about 1,100 a year and of that about 100 has been the excess of births over deaths, which is the natural population change. Of the numbers I think we have had about 400 persons who had been coming to the Island on entitled status, which I assume to mean approved for what we used to call essential employment, and then 700 for registered. I do not know where those registered persons have gone. I do not know into which industries and which roles. Again, I have not seen that information come in from the group. So I have to say, my role on this group has been relatively minor. I have not been able to make the contributions that I would have wished. I have tried to explain why that is. But in the end I think I do look upon those that are leaving this work to ensure that it gets delivered. I think that pretty well goes for all these policy boards that have succeeded. I have to say that I have seen a very successful policy board in action on the housing group where we have an independent outside chairman. I found that has been a very beneficial thing as a Minister with ... that is Michael de la Haye, the former States Greffe ...

Deputy J.H. Perchard:

I might just draw you back into the question, Minister, which was: if these trends were to continue ...

The Minister for the Environment:

Sorry, I beg your pardon.

[16:30]

Deputy J.H. Perchard:

No. it is fine. With your ministerial hat on what effect would this have on the Island's environment if these trends were to continue?

The Minister for the Environment:

The forecast we have seen on housing needs is that ... again, if I get the numbers wrong, I am speaking from memory, and I turn to my colleagues in a moment. At the moment, the view that I have been given by the officers is that the planning land release process for producing housing in the Island has met the 2011 Island Plan target, which was I think 375 per annum. In other words, there is the plan and we have achieved it; on track. Of course that is of no use because that plan is now nearly 10 years old and for the last 10 years we have not stuck to that. There are 2 numbers that are in my head; one is that we will need something like 7,000-plus homes if the rate of migration continues, as it has been for the last 10 years, continues for another 10 years. In the middle ground is a position of 700 persons, which would have a lower target. Can I turn to my colleagues ...?

Senator K.L. Moore:

If I could assist you by pointing you to the previous Corporate Services Scrutiny Panel's migration report, which was published just before the elections? It said if we continue at 1,000 inward migration per year that would obviously take us to 128,800 by 2035, which they equated to 230 additional Les Marais high rises and 10 new primary schools.

The Minister for the Environment:

Of course the Island Plan is for 10 years so the numbers that I was referring to are the ones that I recall from the officer discussions dealing with the planning horizons. But obviously 2035 is beyond ... I also think there will be points which create key infrastructure requirements. I think we are already seeing it now. For example, I do not know, but the Island Plan process is the process which will tell us what our requirements are for schools and what provision we needed to make. I think that will be right across the board and that is why we ... to answer those questions and to make sure we have an evidence-based plan we have had to start it off now.

Senator K.L. Moore:

What projections, in terms of population, are you using when the Island Plan work is being worked up?

The Minister for the Environment:

I have made it quite plain that I am not happy, I am not content, and that puts it quite politely, with the position where we have to wait for clarity on this from the population group until the spring of 2020. We are in the first phase of the Island Plan work, which we are about to launch the 3-month public consultation on the issues. The issues will deal with housing and all those big issues. But we are doing that in a policy vacuum of not having a policy. I have raised this subject, I raised it at the Environment Scrutiny Panel. I put it on the record that I was unhappy with this and I asked the Council of Ministers to reconsider. I also raised it at the Council of Ministers at the last meeting and was quite firm on the subject. At the moment I am not hearing that the Council of Ministers wish to change the current brief to the migration group.

Senator K.L. Moore:

So the Island Plan work has to be based on the existing population projection which is 325?

The Minister for the Environment:

No, it has to be based on the best available information. That is my view and I think personally the evidence base needs to be as robust as we can get it but there will be decisions faced which are unavoidable. I think then the process of the plan drafting and the process of reviewing it through the public inquiry and the States will have to be based on best available information. But there is no

question about it, we have a housing need to deal with in the Island Plan. The issue was the extent of it. Can I ask Mr. Skelton to ...

Senator K.L. Moore:

Could you just answer the question and tell me what the population projection is that you are working to for the Island Plan?

Director, Strategy and Innovation:

At this stage in the process, we consult on the range of scenarios and ask people questions because we are working with the strategic questions of where development might go rather than what land might be put aside for that development. When we talk about the actual drafting of the Island Plan and the population projections that we need to work to, that work will be starting early ... work will be moving into early next year obviously, everything we do this year built into it. That plan will be tested by an independent inspector on the basis of a sound evidence base. The sound evidence base we would expect to take is the planning assumption based on the statistics that we get from Statistics Jersey managed against any other policy changes that take place on the States floor. To put that in a slightly easier to understand language, we have to take the current trend as our assumption and then we have to try and quantify any other policies or any other events that we know of that might affect the change in that trend. As an example, the impact of Brexit may affect the change in that trend. If we can show an understanding of that the inspector would find it reasonable that we had modelled for the impact of Brexit in that way on the population trend. Equally, an agreed migration policy might introduce new controls. If we could model the impact of those controls on the population trend it would be reasonable to look at shifting that trend. In the absence of that information, we would expect a plan on the basis of an extrapolation from the current trend, which is essentially the stats that were published last week by the Stats Unit.

Deputy J.H. Perchard:

What we are saying is that the trends in population ... we react to trends and policies in developing migration policy but, Minister, surely the decision needs to be made at your level and at the Policy Development Board's level of how much we want the population to continue growing by and over what period of time. Do you have a view on whether we should be trying to stabilise the population, whether we should be reducing net migration because obviously, as you rightly said, the vast majority of the increase has come from net migration, not natural causes? What are your views on regulating net migration?

The Minister for the Environment:

I personally think that we cannot continue with the current, what does appear to me, uncontrolled rate of migration. But what I cannot answer is how we can be more selective in terms of ... I think it

has to be based on an economic assessment. In other words, what economic benefit do we receive directly into the Island in our public services and economy? That is the work that I am expecting the group to do. What we have here is 2 processes and they will have to come together. I think my concern is that I would have liked the clarity to come from the migration policy group earlier before we start into the phase of drafting the Island Plan. I accept the fact that those judgments have to be made and they will have to be made before we publish the draft plan. But I do not think I am in a position to make them now but I am starting on the basis that, as a Minister, my pre-election commitment, which I am honour-bound to fulfil, is that I believe we have to control migration and that will mean going to a system of individual work permits, which is about selectivity, economic criteria, and so on, and the Island's needs, is where I want that work to go. If we do not get to that point then I will have to make my own decisions and choices. But I am not able to sit here today and say: "This is how it is going to be." At the end of the day, it is not my judgment because my responsibility as Minister is for producing the draft plan under the law. Only the Minister can present a draft plan but then the decisions on whether that draft plan are approved and adopted belong to the States Members, after a process of public inquiry. My job is like a midwife, if you like. I have to produce this plan and I have to be satisfied with it because I would not, personally as a Minister, be able to recommend a plan to the States if I did not believe this was the right one for Jersey.

Deputy J.H. Perchard:

I appreciate what you said about economic concerns and I think everyone would be reassured to know that that is a priority. But obviously your voice in the room, in terms of the Policy Development Board, is from an environment point of view and in terms of protecting our natural world against the context of our agreement to go carbon neutral and declare a climate emergency, and the global context of environmental concern. What the public will want to know is what environmental angle will you be bringing to the migration policy and the population concerns?

The Minister for the Environment:

When we get to the policy formulation stage, my expectation is that I would have to give them advice on the specific implications of adopting the policy numbers that they want to make on the environment.

Deputy J.H. Perchard:

How will you measure the impact of a certain number of people entering the Island on the environment specifically?

The Minister for the Environment:

I would certainly take advice from the officers. Even though we have been stripped down to the bone under the target operating model, we are very fortunate that we have still got some very able,

knowledgeable and experienced civil servants who can give me guidance on that. But the way I see these policy groups, I do not see them as ministerial decision groups. Where these groups come together in terms of setting a policy is when they come together to the Council of Ministers. My aim there is I am there as a ... I do not see me being on that board; is there, if you like, dominate that group and steer it towards environment.

Deputy J.H. Perchard:

No, but it is your role to provide from an environmental point of view.

Director, Strategy and Innovation:

One of the key pieces of information we will be able to take into account in the Island Plan process in terms of understanding the impact retrospectively and migration on the Island is 2 key studies that will be kicking off in the coming weeks. They are both character appraisals, so an urban character appraisal of the St. Helier environment and a landscape and seascape character appraisal. Those pieces of work were previously done in 1999 for the landscape work, in 2005 for the character work. What we will be able to understand there is the impact that over time it has had on the character of the Island and that will give us some insight. In terms of casting forward it is essentially impossible to know because it does depend on the policies that are put in place. While we use things like X number of primary schools or X number of Les Marais as a proxy, development does not occur like that. If we look over the last plan period we have seen close to 4,200 homes or we anticipate 4,200 homes delivered over that 10-year period. Of those, around about 350 have been on rezoned green sites. The rest have been accommodated within the built-up area. There is not a direct correlation between land take, if you like, and therefore direct impact on the landscape and the amount of development required does depend on how we choose to accommodate that development. Our policies around density, our policies around height or the interplay between buildings and the public realm, and those things are all up for grabs, those are questions we are interested in through this strategic options consultation. It is hard to do a direct correlation between X styles and Y impact. It very much depends on how the market and how developers respond to that.

Deputy S.M. Ahier:

What planning measures could you introduce to help improve the availability of affordable housing?

The Minister for the Environment:

This refers to my contribution at the moment that is being made through the housing group. That is the one that is being chaired by Michael de la Haye. I think there is a real consensus evolving there. First of all, there are a whole range of interventions where I think the States can consider intervening; I think our powers on planning application agreements are not strong enough. In the United Kingdom certainly have been able to leave affordable housing developments out of private housing

developments. We have not been able to successfully do that. There was a policy in the 2011 plan, policy H3, that was dropped in 2014 because the developers refused to implement it. I think we need stronger and so one of the things I am doing is proposing ... I have told the group that they need to intervene more. I think that will be new policies in the Island Plan that may well need law changes. In parallel with developing those new policies in the Island Plan, to respond to the crisis we have got of affordable homes, that we can have stronger legal powers to use planning obligation agreements for the private sector.

[16:45]

But that does not stop there. I have also suggested we need to revert back to government policies that were adopted in the 1980s and 1990s where the States acquired worn out brownfield sites, usually in the urban area, for direct development of affordable homes where we control the procurement of those housing units and control the terms and the prices under which those arrangements have been done. That is a discussion I have had at a meeting with Andium Homes and I am very pleased that they were responsive to those ideas as well. The high-level message I think is the States has gone away from intervening in the housing market directly by assisting homeowners to an open market situation relying on the private sector. That combination with the shortage of supply has resulted in an uncontrolled escalation and so we need to intervene again. The example I would give is Belle Vue Pleasure Park, which I was involved as a senior civil servant in the 1990s in St. Brelade; an outworn pleasure park in St. Brelade whereby there was an aspiration to develop homes. There was a process there where in the end we managed to secure agreements where the States acquired that land and split the parcels up and controlled the development of homes and homes were sold on fixed terms where developers could not sell the houses at more than a certain figure to homeowners. That kind of sums it up. There is a lot more detail than that but such schemes were possible with those interventions. Also in town, a former hotel site, Le Coie, others. All round town now we have got housing sites where we used to have business sites. That was done by direct intervention by Government. There was a thing called a strategic land reserve whereby there was money there to be able to make those interventions. That process stopped years ago and I think we need to go back to it. Those are a couple of examples. Density, policies on density, policies on taller buildings and so on. There is a whole raft of things in the Island Plan, there is no question there would be a major policy change.

Deputy S.M. Ahier:

What forms of housing would be prioritised?

The Minister for the Environment:

When you "prioritise" can you give ...?

Deputy S.M. Ahier:

Would you have lots of single bedroom housing or 3-bedroom houses?

The Minister for the Environment:

The Island Plan would need to say something about the housing mix. What we need is evidence of what that housing mix needs to be. I would not want to sit here and say that it should be X, Y, Z. I think the position I am hearing from the Minister for Children and Housing is that whereas our preference was for more rental dwellings we now move towards affordable homes for purchase. So you have got both. But I think the mix has changed. That will be a subject for the detail in the Island Plan policy based on evidence and consultation.

Director, Strategy and Innovation:

So their consultation document will provide some evidence about the housing mix and the delivery of houses by type over the plan period. There was a question about how much Government chooses to intervene in the market in order to deliver a development which meets the Island's required mix.

Deputy S.M. Ahier:

Have you considered land reclamation as a possible way forward for making more land available?

The Minister for the Environment:

First of all, on land reclamation, I made it quite clear that I am very hopeful that in the Island Plan we can have a long-term plan for the future of the existing reclamation area at La Collette. I do not believe the land at La Collette was ever intended to be - I hate to say this - an engineering backyard in the long term. It was reclaimed at very big public expense and we gave up an area of shoreline, I think for potential valuable land uses which is still potentially there. But in order to deal with that we will have to relocate the fuel farm, which incidentally ties in very nicely with climate change. So it is the part of the dialogue that we have to have with the fuel companies, and so on, and to see what opportunity we can do to deal with that safety issue because at the moment the reason why that particular site has not happened is because of the problems arising from the Buncefield disaster and the fuel farm risk. In the future, I have been asked by our Minister for Infrastructure to include in the strategic document, the issues document, what people feel about future land reclamation. It is in the consultation document.

Deputy J.H. Perchard:

Just one final question, Minister. Projections and their current rate - this is a figure released by Stats Jersey - suggests that the population could increase to 200,000 within my lifetime. I had the pleasure of being at a school earlier today where I was talking to some young people who hoped to go study

environmental concerns at university and things. But as young people always are, they are very black and white about the fact: "Well, we absolutely should not double the population because we cannot hold that many cars because of the damage to the environment." What can you say to reassure these young people that we will not be seeing those kind population increases in their lifetime?

The Minister for the Environment:

I wish I could sit here and be totally confident that we can contain that level of migration into the Island but first of all there is the external forces on us in terms of our agreement to Brexit and so on. Secondly, there is the need to keep our economy going unless we want to change the whole nature of Jersey society, which I would be very surprised if the Jersey community is up for it. But I absolutely share the division of what will be the future unless we do so. I fear for that. But nonetheless, I am going to do my best - absolute best - to make sure that we get an Island Plan which I can feel comfortably go forward ... a draft plan and go to the States and say: "Look, I think this is right for Jersey" and if that is not the case and I am not comfortable with the plan it will not be as Minister that I stand up and propose it. I will not do that because I do not want to see Jersey ruined for the future, my children and my grandchildren, I do not want to see that situation. This is a very difficult task for all of us and I think we have to find where that balance is. We have plainly failed to find that balance over the last 10 years. We have to find it. We have to draw that line and then we have to have policies that we feel robustly deliver that and stick to it.

Deputy J.H. Perchard:

Do you think it is time for a population cap, given the fact that that would still result in 1,000 people coming and going every year?

The Minister for the Environment:

Yes, I have heard this. Under our current system we have an in-built graduation, I think - I have learnt from the work in the population - that every year under our current policies, every 5 years one year of that group that have come under that qualification become entitled automatically. That is part of the system. Those are the part of the things that I am looking to have sorted out. Maybe I might turn to my colleague here because I do not think I have misrepresented that.

Immigration/Migration Policy Principal:

No, not at all. You are absolutely right. There are about 700 a year work their way through this system of graduation where you are registered; 5 years later you are then able to work ..

The Minister for the Environment:

I think there are some things that we cannot avoid and trying to draw where that line is ...

Deputy J.H. Perchard:

Do you believe in a population target?

The Minister for the Environment:

As long as I can remember, when I first came to Jersey the debate was about 75,000. Then 80,000. Then 85,000. Now we seem to have stopped talking about targets and we have gone to 107,000.

Deputy J.H. Perchard:

Soon to be 200,000 in a generation.

The Minister for the Environment:

I find that prospect scary. I hope my children and grandchildren do not have to face that. But a challenge for us all is to find a way of containing that ... keeping a successful Island a happy Island, a successful economy that keeps us going, but I do think we have to accept limits to growth. We cannot, I believe, accommodate open-ended economic growth. Economic growth at any cost is something I do not want to see. It is about finding where we draw that line, where we can get best gain between the needs of our community and the environment because Jersey ... when you fly over Jersey now and you come into it and look at it, you think: "Wow, it looks beautiful" and it is beautiful. It is because we have had decent planning policies right since just after the Second World War that has managed that. That compares with other places who have failed. The challenge is to make sure we can keep it that way and that means recognising some limits. Whether that is a cap, whether it is new rules, but it needs to have a firmer hand of government control on it, and that is what I want to see. The planning system is part of that.

Deputy J.H. Perchard:

Thank you so much and apologies for over-running.

The Minister for the Environment:

I have gone on too long, speaking too long.

Deputy J.H. Perchard:

Thank you very much and I formally close the meeting. Thank you, Minister.

[16:55]