

Cannabis Coordination Meeting No. 29 *(as amended)*

1100-1230hrs, Monday 13 September 2021

via Microsoft Teams

In Attendance

[REDACTED]

Dan Houseago, Group Director, Economy (DH)

[REDACTED]

Paul McCabe, Chief Pharmacist, Health & Social Services (PMcC)

[REDACTED]

Article 25

Apologies

[REDACTED]

George Pearmain, Director of Financial Crime Strategy, Economy (GP)

[REDACTED]

POINTS RAISED & ACTION POINTS

A. Standing items

1. Welcome and apologies were made. [REDACTED]
[REDACTED] were introduced to the Group.
2. Key points from the meeting of Monday 26 July 2021 were approved.

B. Business Arising

1. Home Office (PMcC)

■ asked PMcC for an update on discussions held week beginning 28 June ■ Article 31

➤ PMcC stated that ■ Article 41

➤

Action 1: PMcC to forward correspondence ■

2. States Members briefing (ALL)

■ noted that at the last Steering Group meeting, preparations were being made for a date TBC for a States Members briefing and asked ■ and DH to update the Group:

- 23rd September is the confirmed date. ■ is meeting Senator Farnham at 1pm today with a proposed format for the presentation: an introduction from Senator Farnham, a general briefing on the background to the industry, a video and Q & A session for States Members.
- DH explained that the Cannabis Services Advisory Group as was called is an industry group and is now called the 'Cannabis Services Advisory Board' and is chaired by ■. The next Board meeting will align with the States briefing where ■, representatives from ■ and ■ will be in attendance.

Article 31

C. New Business

1. Agri-tech (■)

■ asked ■ to introduce what he is seeking to deliver on the agri-tech side of things and ■ involvement:

- ■ explained that ■ will be *inter alia* horizon scanning in the cannabis industry trade press area - scoping what is going on internationally and creating a cannabis variety database. ■ has been asked to look at CBD dosing, and to provide a fortnightly digest to officers.

2. Cannabis Website / App proposal ([REDACTED])

[REDACTED] introduced this item by explaining that [REDACTED] had received an email in August from [REDACTED] at Digital Jersey who'd had enquiries from [REDACTED] IT company) seeking to create a website and mobile app to regulate the distribution of medical cannabis, create awareness among Islanders and serve as a bridge between doctors, patients and pharmacies. Due to the nature of the query [REDACTED] forwarded the email on to PMcC, [REDACTED] [REDACTED] and DH, to address and asked those officers for feedback:

Article 33

- PMcC noted that some of the suggestions within the email were illegal. PMcC will get back in touch and arrange a conversation with [REDACTED] but we need to be cautious. [REDACTED] suggests only one officer responds to [REDACTED] explaining that if we do require assistance in the areas they are proposing then they would be considered alongside other organisations in the procurement process. Any response would have to go through M&D.
- [REDACTED] mentioned [REDACTED] holds a site list of potential redundant holdings that could accommodate future applicants, but the question is, would utilities be sufficient to run these sites as cannabis farms. We also need to find out what other sites are available. [REDACTED] could look into this.

Article 33

3.

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Article 41



Action 2: [redacted] and PMcC to have a meeting to discuss licences.

4. Environmental Impact Assessments (EIAs) (ALL)

➤ [redacted] summarised Environmental Impact Assessment (EIA) discussions from previous meetings noting that there have been questions raised as to whether the cannabis industry should be subject to EIAs and that we may need to detangle cannabis activities from the EIA process: a lot of the activity is carried out on established farm holdings and we need to view a farm holding as a holding first and foremost. [redacted]

Article 31

[redacted] Security has become an obvious concern; Scrutiny has raised concerns around the planning element in particular fences being erected. [redacted]

Article 41

[redacted] In consequence of these ongoing concerns DH has invited [redacted] to sit on this Group. So, the question is what direction needs to be taken.

➤ [redacted] stated that EIA has a fairly mature meaning in the [Planning and Building \(Jersey\) Law 2002](#) and the [Planning and Building \(Environmental Impact\) \(Jersey\) Order 2006](#). In the Order there is a table which lists a number of things that require an EIA. Planning have broadly stuck to the prescribed developments in the list. A

noted question is when someone comes to an existing holding and wants to grow something, is this development? The answer is no, it does not require an EIA under the Planning and Building Law. However, there are some things that people may wish to do to a product e.g. apply an industrial or chemical process (some activities are listed in the table under the 2006 Order). Growing does not require an EIA, processing quite often does. The Health Minister wants EIAs applied to the processing elements.

- [REDACTED] acknowledged that clearly, if an applicant is going through planning process as required, then [REDACTED] team would cover this off. Environmental Health act as a statutory consultee for the Minister for Health, so Environmental Health would cover off the nuisance aspects and could make recommendations to the Health Minister that could be built into the licence as could the States of Jersey Police if they were made a statutory consultee.
- PMcC agreed it would be helpful if we could tee out the process for the Health Minister to make bodies statutory consultees, then licence applications could be referred. Is it for the Health Minister to decide this?
- [REDACTED] noted that water and power use have wider environmental considerations.
- PMcC suggested it would be helpful to have a template that an applicant could use as part of the process. [REDACTED] agreed.
- DH reminded this Group that economy is the driver here and we do not want to create a high bar to entry and in effect regulate the industry away but at the same time we don't want to compromise regulation required. The idea is consistent with the need to assist PMcC with applications.
- [REDACTED] noted that DH has a good point, there is already control over development within the existing Order. [REDACTED] can see why chemical processing might well require an EIA but cannot see why growing plants would ever require an EIA.
- [REDACTED] stated that we should not be singling out industry: washing, processing, reverse osmosis is already happening on-Island so, there would then be a requirement for these operators to have to apply for a retrospective EIA.
- [REDACTED]
- [REDACTED] said that the extra work needed is not to heap on regulation but to suggest that the problem isn't there.
- DH noted we need to be a little bit circumspect around new regulation.
- [REDACTED] noted a complaints procedure would be wise.

Article 31

Action 3: [REDACTED] to set up a meeting to be held between PMcC, [REDACTED] [REDACTED] [REDACTED] and DH to iron out statutory consultees to assist in the licence application process.

5. Food legislation [REDACTED]

- [REDACTED] gave the Group an overview of how CBD products are regulated via local food legislation.

- ■ noted two potential areas of assistance: (i) we have a new Director of Public Health (Peter Bradley) who might be able to help on the legislative side, and (ii) the regulatory team under ■ who manage software for their remit that could potentially make the licensing process easier. ■ will be heading up this licensing element on the Environmental Health side.

Meeting closed at 12.30hrs. Next meeting TBA.