

COUNCIL OF MINISTERS

(94th Meeting)

1st September 2011PART A

All members were present, with the exception of: Senator T.A. Le Sueur, Chief Minister; Senator A.J.H. Maclean, Minister for Economic Development; Connétable M.K. Jackson of St. Brelade, Minister for Transport and Technical Services, and Deputy A.K.F. Green, M.B.E, Minister for Housing, from whom apologies had been received.

Senator P.F.C. Ozouf, Minister for Treasury and Resources
 Senator P.F. Routier, Assistant Minister for Economic Development
 Senator B.I. Le Marquand, Minister for Home Affairs
 Deputy R.C. Duhamel, Minister for Planning and Environment
 Deputy J.G. Reed, Minister for Education, Sport and Culture
 Deputy A.E. Pryke, Minister for Health and Social Services
 Deputy K.C. Lewis, Assistant Minister for Transport and Technical Services
 Deputy I.J. Gorst, Minister for Social Security
 Deputy E.J. Noel, Assistant Minister for Treasury and Resources

In attendance -

J. Richardson, Interim Chief Executive, States of Jersey (for a time)
 L. Rowley, Treasurer of the States (for item B2)
 C. Haws, Head of Financial Planning (for item B1)
 A. Rogers, Head of Financial Performance Reporting (for item B2)
 P. Styles, Assistant Accountant – Financial Planning, Treasury and Resources Department (for item B1)
 T. Murphy, Policy and Research Officer
 M.N. de la Haye, Greffier of the States
 I. Clarkson, Clerk to the Council of Ministers

Note: The Minutes of this meeting comprise Part A and Part B.

Minutes.

A1. The Minutes of the meetings held on the following dates in 2011, having been circulated previously, were taken as read and were confirmed –

30th June (Parts A and B)
 7th July (Parts A and B)
 14th July (Part A only)
 19th July (Part A only)
 21st July (Parts A and B).

States
 business.
 1240/7/1(1)

A2. The Council, with reference to its Minute No. A2 of 14th July 2011, reviewed the list of public business scheduled for consideration by the States Assembly during the Second Session of 2011.

Given that reaching a decision on the draft Annual Business Plan 2012 (P.123/2011) and the various amendments to the same was thought likely to take the States more than 2 days, and having concluded that it would be less than

desirable for the States to continue meeting during an active period of election campaigning, the Council agreed, subject to prior consultation with the Chief Minister, to request that the Chairman of the Privileges and Procedures Committee (PPC) consider proposing –

- (a) that the meeting of the States commencing on Monday 12th September should not continue beyond Friday 16th September under any circumstances;
- (b) that any propositions not considered by Friday 16th September should be deferred to the meeting commencing on 8th November 2011;
- (c) that the meeting commencing on 20th September 2011 should be extinguished.

Having acknowledged that a considerable number of executive and non-executive propositions were listed for debate during September 2011, the Council considered that it should take the lead and seek to debate only those that were considered critically important. In this connexion it was decided that P.76/2011 ('Machinery of Government: Review') should be withdrawn and that the PPC should be invited to consider withdrawing P.77/2011 ('Handheld Devices in the States Chamber'). Ministers were also hopeful that the Deputy of St Martin might withdraw his proposition concerning disciplinary and grievance hearings (P.112/2011 refers), given that he had met informally with the States Employment Board to discuss the matter. Turning to the provisional list of public business for 20th September 2011, the Council agreed that all Ministerial propositions should be deferred to the meeting scheduled for 8th November 2011 with the exception of P.133/2011 ('Pan-Island Data Protection Commissioner'), which the States would be requested to take on Friday 16th September.

In relation to the various non-executive propositions lodged for debate during September 2011 and which had yet to be withdrawn, the Council formed the views outlined below.

Chief Minister: election by open ballot (P.126/2011)

The Council was not minded to form a collective view on the proposition.

1(1)k Category Residents: referendum (P.130/2011)

The Council resolved to oppose the proposition. It further endorsed a draft comment prepared by the Minister for Treasury and Resources.

Standing Orders: Answers to Questions (P.132/2011)

The Council agreed that it would be minded to present a brief comment opposing the proposition on the basis that the proposed revision to Standing Orders were unnecessary. In addition, the Council was concerned that such change could be expected to generate a notable increase in the number of minor points of order on which the Presiding Officer would be required to adjudicate.

States of Jersey Law 2005: removal of restrictions on number of Ministers and Assistant Ministers (P.145/2011)

Firm in principle support was expressed for the proposals set out in P.145/2011. The Council nevertheless acknowledged that the existing restriction on the total number of Ministers and Assistant Ministers could not be lifted in isolation without destabilising other checks and balances present within the existing Ministerial system. Some form of broader and considered review of the existing machinery of government remained the Council's preferred way forward, notwithstanding its pragmatic decision to withdraw P.76/2011. On that basis the Council reluctantly resolved to oppose the proposition.