

COUNCIL OF MINISTERS

(95th Meeting)

8th September 2011

**PART A**

All members were present.

Senator T.A. Le Sueur, Chief Minister  
Senator P.F.C. Ozouf, Minister for Treasury  
and Resources  
Senator A.J.H. Maclean, Minister for  
Economic Development  
Senator B.I. Le Marquand, Minister for  
Home Affairs  
Connétable M.K. Jackson of St. Brelade,  
Minister for Transport and Technical  
Services  
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 I.J. Gorst, Minister for Social  
Security  
Deputy A.K.F. Green, M.B.E, Minister for  
Housing

In attendance -

J. Richardson, Interim Chief Executive,  
States of Jersey  
C. Haws, Head of Financial Planning,  
Treasury and Resources Department (for  
item A1)  
P. Styles, Assistant Accountant – Financial  
Planning, Treasury and Resources  
Department (for item A1)  
J. Norris, 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 only.

**Confidential:**  
**exemption**  
**3.2.1 (a)(xiv)**  
Business  
planning: draft

A1. The Council, with reference to its Minute No. B1 of 1st September 2011, recalled that it had authorised the preparation of a series of draft comments to the various amendments to the draft Annual Business Plan 2012.

Annual  
Business Plan  
2012:  
amendments.  
447/1/1/6(1)

The Council, with the Head of Financial Planning and the Assistant Accountant – Financial Planning, Treasury and Resources Department in attendance, considered draft comments to the various amendments to the draft Annual Business Plan 2012 and arrived at the following decisions.

**Amendment (lodged ‘*au Greffe*’ by Senator F. du H. Le Gresley)**

The Council approved a comment confirming its opposition to the Amendment.

**Second Amendment (lodged ‘*au Greffe*’ by Senator B.E. Shenton)**

The Council approved a comment opposing both parts of the amendment, subject to the making of certain minor revisions to the content of the same.

**Third Amendment (lodged ‘*au Greffe*’ by Senator F. du H. Le Gresley)**

The Council acknowledged that the Minister for Economic Development had already intended to transfer £200,000 to the Tourism Development Fund (TDF) to supplement the residual balance of the fund and, moreover, that the Minister had pledged to retain 2012 and 2013 net revenue expenditure providing direct support to the tourism industry at 2011 levels. It further noted that the the Minister for Treasury and Resources was minded to sanction the transfer of an additional £450,000, derived from under-spends on projects returned to the Fiscal Stimulus Programme, for use by the TDF in 2012. This latter proposal was endorsed by the Council on the understanding that further allocations to the TDF would be considered as part of the first Medium Term Financial Plan that would be lodged ‘*au Greffe*’ during 2012.

Ministers acknowledged that the need to commission a new headquarters building for the States of Jersey Police was well established and had now become urgent following the loss of the Lime Grove site in St. Helier. Considerable efforts were being made to identify a viable and timely solution within the existing budget and taking due account of the value of any States administered land to be utilised for the purpose. A decision to adopt the amendment would disrupt those efforts and would cause the Capital Programme to become significantly underfunded as a consequence of increased revenue expenditure. This was regarded as a less than desirable outcome.

The Council approved a comment opposing both parts of the amendment.

**Fourth Amendment (lodged ‘*au Greffe*’ by Senator S.C. Ferguson)**

The Council approved a comment confirming its willingness to accept the amendment.

**Fifth Amendment (lodged ‘*au Greffe*’ by Deputy G.P. Southern of St. Helier)**

The Council approved the comment, subject to the making of certain minor formatting changes.

**Sixth Amendment (lodged ‘*au Greffe*’ by Deputy G.P. Southern of St. Helier)**

The Council approved a comment opposing the amendment, having

made certain minor revisions to the content of the same including, but not exclusive to, the inclusion of a statement confirming the Council's support for the Comprehensive Spending Review related proposals put forward by the Minister for Health and Social Services.

**Seventh Amendment (lodged '*au Greffe*' by the Connétable of St. Helier)**

The Council broadly endorsed a comment outlining its opposition to the amendment on the basis –

- (a) that the cost to the taxpayer would increase,
- (b) that other policy initiatives in recent years had addressed inequities in arrangements between parishes and with the States, and
- (c) that insufficient information had been provided to show that the financial impact on each of the 12 parishes would be equitable proportionate.

Authority to approve a final draft of the same was delegated to the Chief Minister in consultation with the Minister for Treasury and Resources.

**Eighth Amendment (lodged '*au Greffe*' by Deputy G.P. Southern of St. Helier)**

The Council approved a comment confirming its absolute opposition to the amendment, subject to the making of certain minor revisions to the content of the same.

**Ninth Amendment (lodged '*au Greffe*' by Deputy G.P. Southern of St. Helier)**

The Council approved a comment opposing the amendment and which confirmed its intention to enable the Minister for Home Affairs to provide the necessary funding for the 'Prison! Me! No Way!' project in 2012.

**Tenth Amendment (lodged '*au Greffe*' by the Minister for Treasury and Resources)**

The Council approved a comment in support of the Amendment.

**Eleventh Amendment (lodged '*au Greffe*' by Deputy M.R. Higgins of St. Helier)**

The Council approved a comment outlining its opposition to the Amendment.

**Twelfth Amendment (lodged '*au Greffe*' by the Deputy of St. Mary)**

The Council, having noted that the Minister for Economic Development remained committed to protect the marketing spend for Jersey Tourism in real terms, approved a comment opposing the amendment.

**Thirteenth Amendment (lodged '*au Greffe*' by the Deputy of St. Mary)**

The Council approved a comment outlining its opposition to all parts of the amendment, having first made certain minor changes to the content of the same including, but not exclusive to, the inclusion of a statement confirming the Council's support for the Comprehensive Spending Review related proposals put forward by the Minister for Education,

Sport and Culture.

**Fourteenth Amendment (lodged ‘*au Greffe*’ by the Deputy of St. Mary)**

The Council approved a comment outlining its opposition to the amendment.

**Draft Fifteenth Amendment (to be lodged ‘*au Greffe*’ by the Chief Minister)**

The Council endorsed the draft amendment, which would reduce the net revenue expenditure of the Education, Sport and Culture Department by £15,000 and increase the net revenue expenditure of the Home Affairs Department by £15,000 as part of the measures necessary to place responsibility for funding in support of the ‘Prison! Me! No Way!’ project solely within the Home Affairs Department. In this regard, the Council agreed that the accompanying report should clarify the requirement for a timely review of the cost-effectiveness of the ‘Prison! Me! No Way!’ project in its existing form.

The Head of Financial Planning was authorised to take the necessary action.

States  
business.  
1240/7/1(1)

A2. The Council, with reference to its Minute No. A2 of 1st September 2011, gave further consideration to the list of public business scheduled for consideration by the States Assembly during the Second Session of 2011.

Regarding the provisional list of public business for 20th September 2011, the Council recalled its decision 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. The Council, having been advised that the Privileges and Procedures Committee was not minded to propose the extinguishing of the meeting on 20th September, revised its position and recommended that the Chief Minister propose to the States the following way forward –

- (a) that the meeting commencing on the afternoon of 12th September 2011 should not continue beyond Friday 16th September;
- (b) that all executive and non-executive propositions having been lodged for the minimum period necessary under Standing Orders should be re-listed with a view to ensuring that as many as possible were debated on or before Friday 16th September;
- (c) that the States be requested to debate the proposed ratification of a Tax Information Exchange Agreement with Argentina (P.137/2011 refers) as a priority matter in accordance with Standing Order No. 26(7);
- (d) that the remaining executive propositions not brought forward with a view to securing a debate during the meeting beginning on 12th September 2011 should be deferred to 8<sup>TH</sup> November 2011,

Turning to the proposition entitled: ‘Standing Orders: Answers to

Questions' (P.132/2011 refers), the Council approved a comment outlining its view that the proposed amendment to Standing Orders was unnecessary and potentially counterproductive.