

COUNCIL OF MINISTERS

(97th Meeting)

29th 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 -

Connétable K.P. Vibert of St. Ouen, Chairman, Comité des Connétables
 J. Richardson, Interim Chief Executive, States of Jersey
 T.J.Le Cocq, Q.C., H.M. Attorney General
 C. Anderson, Team Leader, Comprehensive Spending Review
 J. Marshall, Head of Strategic Planning
 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 and Part B.

Minutes.

A1. The Minutes of the meetings held on 1st September (Parts A and B), 8th September (Part A only) and 9th September 2011 (Parts A and B), having been circulated previously, were taken as read and were confirmed.

Business
 planning:
 Annual
 Business Plan
 2012
 447/1/1/6(1)

A2. The Council, with reference to its Minute No. A1 of 8th September 2011, recalled that on 15th September 2011 the States had adopted the Annual Business Plan 2012, as amended.

The Council congratulated all those concerned with the development and production of the Annual Business Plan 2012 and warmly thanked the Minister for Treasury and Resources and his departmental team for their sterling efforts prior to and during the States debate.

On a related matter, and having recalled that several Ministers had elected to vote in favour of certain specific amendments to the Annual Business Plan, the Chief Minister drew the attention of all Ministers to the Code of Conduct for Ministers (R.14/2006 refers) and, in particular, to the related agreement reached by the Council on 26th November 2009 regarding corporate working (Minute No. A7 refers).

Draft Budget
2012.
447/1/1/6(2)

A3. The Council, with reference to its Minute No. B1 of 9th September 2011 noted that the Draft Budget 2012 had been lodged '*au Greffe*' on 26th September 2011 by the Minister for Treasury and Resources.

The Council noted and fully endorsed the decision of the Minister for Treasury and Resources to lift Income Tax exemption thresholds by 4.5 per cent, reflecting the prevailing rate of increase in the Jersey Retail Price Index.

States
business.
1240/7/1(1)

A4. The Council, with reference to its Minute No. A1 of 9th September 2011, gave further consideration to the list of public business scheduled for consideration by the States Assembly during the Second Session of 2011. Particular consideration was given to the propositions listed below.

Disciplinary and grievance hearings: right to a friend (P.112/2011)

The Council noted that H.M. Attorney General intended to correspond with the Chairman of the States Employment Board concerning certain matters arising within the comments presented to the States by the Board.

Clos des Sables: further development – petition (P.121/2011)

The Council noted the intention of the Minister for Transport and Technical Services to present to the States a comment on the proposition in due course.

Draft Policing of Parks (Amendment No. 3) (Jersey) Regulations 201- (P.125/2011)

The Council was delighted to note that the Town Park was due to be opened in October 2011. Having observed that the draft Regulations would cause the Town Park to be formally designated under Part 1 of the Schedule in the Policing of Parks (Jersey) Regulations 2005, the Council endorsed the proposition.

Draft Motor Traffic (Third-Party Insurance) (Amendment No.12) (Jersey) Law 201- (P.134/2011)

The Council endorsed the proposition.

Draft Health Insurance (Amendment No.14) (Jersey) Law 201- (P.136/2011)

Ministers acknowledged the absolute need to secure the firm support of the States for the introduction of new arrangements to support the development and implementation of a well regulated primary healthcare system. In this regard, and having anticipated that a significant number of States Members would have been contacted by stakeholders to discuss aspects of the draft Law, the Council recommended that the Minister for Social Security –

- (a) hold a full briefing for all States Members on the draft Law in early course, and
- (b) assess the degree of support amongst Members for the draft Law before determining whether it would be appropriate to proceed with a States debate prior to the reconstitution of the States in mid-November 2011.

The Minister for Home Affairs apprised the Council of his concerns regarding the inclusion within the draft Law of a provision which would bestow upon the Minister for Health and Social Services sufficient power to introduce a disciplinary procedure for General Practitioners by Order. It was established that the Minister for Social Security was actively considering whether it might be preferable to amend the draft Law to enable such disciplinary procedures to be introduced by Regulation, in accordance with the preference of the Minister for Home Affairs. The Council noted that the Minister for Home Affairs reserved the right to lodge

'au Greffe' a suitable amendment to the draft Law in the event that the Minister for Social Security was minded to maintain the Order making power.

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

The Council noted the comment of the Privileges and Procedures Committee.

Road Fuel Prices: display (P.146/2011)

The Council noted a declaration by the Minister for Treasury and Resources of an indirect pecuniary interest.

There was broad support among Ministers for the underlying principle of the proposition. In this regard, the Council noted and endorsed the intention of the Minister for Economic Development to comment on both the underlying policy proposal and the mechanics of delivering the same.

Land Development Tax or equivalent mechanisms (P.147/2011)

The Council resolved to oppose the proposition, having recalled the relevant policies of the Island Plan 2011 and the fact that the States already derived an income stream from the taxation of income derived from the development of land by limited companies.

States Members' Remuneration: expenses allowance (P.148/2011)

The Council concluded that the subject matter of the proposition was not one on which it would wish to form a collective view.

Sunday trading legislation: additional considerations for the granting of a permit (P.149/2011)

The Council noted the comments of the Minister for Economic Development. It was further advised that the Comité des Connétables harboured significant reservations regarding the extent to which the proposed considerations specified in the proposition could be applied in practice.

Jersey Business Venture: future role (P.150/2011)

The Council noted that the Minister for Economic Development was due to meet the proposer on 30th September 2011 to discuss the concerns raised in the proposition and accompanying report.