

COUNCIL OF MINISTERS

(98th Meeting)

13th October 2011PART 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, Chairman, Comité des Connétables
 M. King, Chief Officer, Economic Development Department
 L. Rowley, Treasurer of the States (for items A2, B2 and B3)
 R. Bell, Chief Officer, Social Security Department (for item A3)
 P. Staley, Law Draftsman (for item A3)
 S. Turnbull, Medical Officer of Health (for item A3)
 N. Fox, Strategy Manager, Economic Development Department (for item
 B4)
 T. Murphy, Policy and Research Officer
 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 meeting held on 29th September 2011 (Parts A and B), having been circulated previously, were taken as read and were confirmed.
- Tourism
 Development
 Fund:
 additional
 funding
 530/5/1/2(7)
- A2. The Council, with reference to its Minutes No. A1 of 8th September 2011, recalled that on 15th September 2011 the States had approved the Annual Business Plan 2012, as amended (P.123/2011 refers). It further recalled that during the debate on the 3rd amendment to the Annual Business Plan (which had subsequently been withdrawn), the Minister for Economic Development had confirmed his department would achieve an under-spend against its revenue budget for 2011 of £200,000 and that the foregoing sum would be transferred to the Tourism Development Fund promptly to ensure that the TDF could continue considering bids for funding during the latter part of 2011. In addition, the Minister for Treasury and Resources had signalled his intention, as endorsed by the Council on an in-principle basis, to provide further funding for the TDF in the sum of £450,000, to be found from residual underspends following the conclusion of the Economic Stimulus Plan.

The Council, with the Treasurer of the States in attendance, considered a report prepared by the Treasury and Resources Department and which was entitled: 'Central Reserve request from Economic Development Department for a Grant to the Tourism Development Fund.' Ministers observed that the report requested the formal endorsement of the Council for the proposal to allocate £450,000 from the Central Reserve to the Economic Development Department, which would then allocate the monies to the Tourism Development Fund as a grant in accordance with the commitment made in the States Assembly on 13th September 2011. It was further proposed that the Minister for Economic Development would honour a further commitment given in the States on the same day by lodging '*au Greffe*' a report and proposition proposing the extension of the terms of reference for the TDF to allow that body to consider applications from the private sector on a matched funding basis. For the longer term it was being recommended that the reconstituted Council be invited to determine any further allocation of funds following the drafting of the new Strategic Plan and during development of the forthcoming Medium Term Financial Plan.

The Council endorsed the allocation of £450,000 from the Central Reserve to the Tourism Development Fund and recommended that the Minister for Treasury and Resources approve the allocation in early course. It further recommended that the Minister for Economic Development proceed to lodge '*au Greffe*' the report and proposition to suitably extend the terms of reference of the TDF as soon as practicable.

States
business.
1240/7/1(1)

A3. The Council, with reference to its Minute No. A4 of 29th 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.

Draft Currency Notes (Variation of Maximum Denomination No.2) (Jersey) Regulations 201- (P.131/2011)

The Council was advised that a review of the draft Regulations by the Corporate Services Scrutiny Panel was anticipated as it was understood that the Panel was not convinced that the Regulations would be cost-neutral.

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

The Council, having reviewed a draft amendment to the draft Law and having received an associated presentation from the Medical Officer of Health, the Chief Officer, Social Security Department and Dr. P. Venn, Clinical Governance Lead for the Primary Care Body, and with the Law Draftsman in attendance, noted that the draft amendment was sufficient to address the concerns raised by the Minister for Home Affairs at its meeting on 29th September 2011. It therefore recommended that the Minister for Social Security proceed to lodge the draft amendment '*au Greffe*' forthwith.

Land Development Tax or Equivalent Mechanisms (P.147/2011)

The Council, having reviewed a draft comment being considered for presentation to the States by the Minister for Treasury and Resources, recommended that the Minister make certain minor refinements to the same and, in particular, that he should produce a more concise comment that clarified beyond doubt that profits on developments by limited companies were already taxed at the rate of 20 per cent. The Council further agreed that it should present a brief comment opposing the proposition and confirming its endorsement of the stance adopted by the Minister for Treasury and Resources.

Driving Licences: theory test (P.155/2011)

The Council noted the intention of the Minister for Transport and Technical Services to lodge *'au Greffe'* an amendment to the proposition inviting the States to refer the proposals of the Comité des Connétables to the task force set up to establish a Road Safety Strategy.

Bus Service Contract: Hoppa (P.156/2011)

The Council noted and endorsed the intention of the Minister for Transport and Technical Services to present a comment highlighting the potential implications for the forthcoming bus service contract tender process.

Homebuy or Shared Equity Scheme: approval by the States (P.163/2011)

The Council, having noted the proposition, was advised by the Minister for Planning and Environment that he was continuing to develop alternative proposals for the delivery of affordable housing with a view to taking a proposition to the States during the first quarter of 2012.

Old Age Pension: method for increase (P.164/2011)

The Council was advised that the Minister for Social Security had asked the fund actuary to review and cost the proposal as drafted by Senator A. Breckon and that he had further requested that Senator Breckon consider deferring the debate on his proposition for several weeks in order that States Members might be afforded the opportunity to debate the issue from a suitably informed perspective. It was further noted that the proposition would also have probable implications for the States' anti-inflation strategy.

The Council agreed that it should present a brief comment to the States regarding the broader social and economic implications of the proposition and regarding the need to maintain the incentive for Island residents to save for their retirement.

Price Control: investigation (P.165/2011)

The Council resolved to oppose the proposition.

Ex gratia Payment: Mr. D. Turner (P.166/2011)

The Council was not convinced that a States debate on the proposition would provide the most appropriate and equitable resolution of the matter raised.

Incinerator Emissions Data: publication on Internet (P.167/2011)

The Council, having noted that the Minister for Transport and Technical Services had intended to publish relevant emissions data in any event, agreed that it was minded to support the proposition.

Procedures of the States: Misleading Information and Selection of Scrutiny Chairmen and Members (P.169/2011)

The Council expressed regret at the content and tone of the report accompanying the proposition, particularly, but not exclusively, regarding the accusation that Ministers often misled the States.

On a related matter, the Council was of the view that the subject matter and the lodging date of a number of the propositions listed for debate in November 2011 gave rise to the question of whether it might be appropriate to amend Standing Orders to prevent existing executive and non-executive States Members from lodging propositions during an ordinary election period.

Senator A.J.H Maclean was not present for the discussion on P.163/2011.