

PM/SC/199

COUNCIL OF MINISTERS

(82nd Meeting)

11th July 2014PART A

All members were present, with the exception of Senator B.I. Le Marquand, Minister for Home Affairs; Deputy A.K.F. Green, M.B.E, Minister for Housing; and Deputy P.J.D. Ryan, Minister for Education, Sport and Culture, from whom apologies had been received.

Senator I.J. Gorst, Chief Minister
 Senator P.F.C. Ozouf, Minister for Treasury and Resources (not present for items A1, A3, B2-B5)
 Senator A.J.H. Maclean, Minister for Economic Development
 Senator F. du H. Le Gresley, M.B.E., Minister for Social Security
 Senator Sir P.M. Bailhache, Minister for External Relations (present for item B1)
 Deputy R.C. Duhamel, Minister for Planning and Environment
 Deputy A.E. Pryke, Minister for Health and Social Services (not present for item B6)
 Deputy K.C. Lewis, Minister for Transport and Technical Services
 Connétable J.M. Refault of St. Peter, Assistant Minister for Housing
 Deputy R.G. Le Hérissier, Assistant Minister for Education, Sport and Culture

In attendance -

Senator P.F. Routier, M.B.E., Assistant to the Chief Minister (present for items A3, B1 and B2)
 Deputy E.J. Noel, Assistant Minister for Treasury and Resources (for item B1)
 J.D. Richardson, Chief Executive, States of Jersey
 M.N. de la Haye, O.B.E., Greffier of the States
 H. Sharp, Q.C., H.M. Solicitor General
 L. Rowley, Treasurer of the States (for item B1)
 D. Le Cuirot, Comptroller of Taxes (for item B1)
 C. Le Breton, Acting Deputy Comptroller of Taxes (for item B1)
 D. Peedle, Economic Adviser (for items B1 and B/)
 T. Walker, Director – International Affairs (for items A3 and B2)
 D. Bannister, Group Chief Executive, Ports of Jersey (for item B4 and B5)
 M. King, Chief Executive Officer, Economic Development Department (for item B4 and B5)
 N. Hussey, Assistant Director, Jersey Customs and Immigration Service (item B6)
 P. Bradbury, Director – Corporate Policy, Chief Minister’s Department (for item B4)
 V. Page, Assistant to the Chief Minister
 C. Keir, Communications Manager
 P. Monamy, 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 11th June (Part B) and 25th June 2014 (Part A and Part B), having been previously circulated, were taken as read and were confirmed.

States Business. 1240/7/1(1) A2. The Council, with reference to its Minute No. A2 of 25th June 2014, noted the list of public business scheduled for consideration by the States Assembly on 14th July 2014 and subsequent meetings, and commented specifically on the following –

14th July 2014:

Grouville School: parking facilities (P.24/2014)

Having noted the comments which had been presented to the States by the Minister for education, Sport and Culture, the Council agreed that it supported part (a) of the proposition – for the relevant Ministers “to take the necessary steps together to provide ‘drop-off’ and ‘pick-up’ facilities at Grouville School and to provide parking for at least 60 cars for parents and guardians of children who attend the School, in addition to any parking provision that currently exists” - recognising that this would be subject to any decision made by the Minister for Planning and Environment on the associated planning application. The Council also agreed to support part (b) of the proposition – “to make every effort to complete this work within 9 months from the date this proposition is adopted” – subject to the caveat that this could not be achieved in the event that the necessary funding was not identified.

Draft Restriction on Smoking (Amendment No. 4) (Jersey) Law 201- (P.103/2014)

The Council supported the draft Law.

Island Plan 2011: revised draft revision (P/37/2014) and Amendments

The Council discussed with the Chief Executive Officer and the Principal Planner, Department of the Environment the various amendments which had been lodged ‘au Greffe’ to the proposition of the Minister for Planning and Environment. The Council concurred with the Minister’s view that he was not minded to support the following –

- Amendment 1 of the Connétable of St. Clement which sought to remove Samarès Nursery and Le Quesne Nurseries from the list of sites proposed to be rezoned to provide Category A affordable homes;
- Amendment 3 of Deputy R.G. Le Hérissier of St. Saviour which sought to remove Longueville Nurseries from the above-mentioned list of sites [Deputy Le Hérissier was not present during the consideration of this item];
- Amendment 3 of Deputy S.G. Luce of St. Martin to change the type of home to be provided on Field No. 402, St. Martin (in the event that it were to be rezoned) such that access thereto was to be controlled and managed by the St. Martin’s Housing Association;
- Amendment 4 of the Connétable of St. Ouen which sought to add Field No. 622, St. Ouen to the above-mentioned list of sites;
- Amendment 6 of Deputy J.H. Young of St. Brelade which sought to change the Shoreline Zone pre-amble and policy (Policy BE4) as it related to St. Brelade’s Bay only;

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- Amendment 7 of Deputy J.H. Young of St. Brelade which sought to change the pre-amble to the policy on the Airport Fuel Farm Safety Zone for Hazardous Installations such that the definition of the safety zone should not preclude its use for allotments;
- Amendment 8 of Deputy J.H. Young of St. Brelade which sought to change Policy H7: Housing so as to meet special requirements and the pre-amble to it to give explicit emphasis to sheltered housing and lifelong dwellings for over-60s;
- Amendment 9 of Deputy J.H. Young of St. Brelade which sought:
 - (a) to change the scope of Policy GD1 (General Development policy);
 - (b) to retain Policy GD2 (Demolition and replacement of buildings);
 - (c) to change the scope of Policy GD3 (Density of development);
 - (d) to amend Policy GD5 (Skyline, views and vistas);
 - (e) to change the scope of Policy DG8 (Percent for art);
- Amendment 10 of Deputy J. H. Young of St. Brelade which sought:
 - (a) and (b) to change the pre-amble to Policy SP1 (Sustainable development);
 - (c) to complete the identification and designation of all Conservation Areas by the end of the Plan period;
- Amendment 11 of the Minister for Economic Development seeking to remove the proposed changes to the policies for the Coastal National Park and the Green Zone;
- Amendment to Amendment 11 of the Minister for Economic Development by Deputy J.H. Young of St. Brelade which sought to allow the proposed changes for the Coastal National Park (Policy NE6) to be considered, leaving the existing policy in respect of the Green Zone unchanged.

With regard to Deputy Young's Amendment to Amendment 11 of the Minister for Economic Development, the Council noted that the Minister for Planning and Environment was minded to accept the amendment subject to further amendment by the Minister, namely, to remove the objective parameters proposed in order to assess applications for residential development for the Green Zone, but to retain them for the Coastal National Park.

The Council also noted that the Minister for Planning and Environment proposed to lodge a further amendment to P.37/2014 in order to change the definition of "States-owned land" in the Housing chapter.

Having noted that Amendments 9(c) and 10 had resource implications for the Department of the Environment over and above that presently available to support work in this area, the Council agreed that it supported the position of the Minister for Planning and Environment in relation to the amendments and the main proposition.

Draft Road Traffic (No. 60) (Jersey) Regulations 201- (P.30/2014)

The Council supported the draft Regulations.

Maternity Leave: rights of employees (P.104/2014)

The Council opposed the proposition of Deputy G.P. Southern of St. Helier

Draft Employment (Amendment No. 8) (Jersey) Law 201- (P.109/2014)

The Council supported the draft Law.

Draft Social Security (Amendment of Law No. 8) (Jersey) Regulations 201- (P.106/2014)

The Council supported the draft Regulations.

Draft Charities (Jersey) Law 201- (P.108/2014)

The Council noted that, in the event that the Chief Minister were to be away, the Assistant Chief Minister – Senator P.F. Routier, M.B.E. – would present the Bill in the States. The Council supported the draft Law.

Draft Criminal Justice (Life Sentences) (Jersey) Law 201- (P.113/2014)

The Council supported the draft Law.

Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- (P.118/2014)

The Council supported the draft Act.

Kerbside Recycling: feasibility study (P.121/2014) and Amendment

The Council supported the Amendment of the Minister for Transport and Technical Services to extend the timescale envisaged for the production of a report to the States Assembly to the end of 2015, as it was believed that the necessary work to implement the study required could be incorporated into the Department's 2015 plan.

Access to
Justice review:
interim
report –
presentation to
the States.
1448/2(7)

A3. The Council, with reference to its Minute No. B2 of 27th November 2013, discussed with the Director – International Affairs, Chief Minister's Department the Interim Report on the Access to Justice Review, which was shortly to be presented to the States by the Chief Minister.

Having noted the background to the present situation, the Council recognised that on 23rd January 2014, the States – having adopted P.158/2013: "Access to Justice in Jersey: review" - had appointed the under-mentioned Members of the States to an Advisory Panel to support the review –

- Senator P.F. Routier, M.B.E. – Chairman
- Senator L.J. Farnham
- Connetable J. Gallichan of St. Mary
- Deputy M. Tadier; and
- Deputy J.H. Young.

The Council recalled that the terms of reference for the review required the submission of an interim report to the Chief Minister within 6 months of the commencement of the work. The proposed methodology for the review was noted as including an undertaking to consult widely and to gather evidence from the public and interested parties, and that as result of this approach an invitation was issued to members of the public and to the legal profession to provide written comments, which comments were available on the gov.je website and were summarised in and formed the core of the Interim Report.

The Council noted that the next phase of the work of the Access to Justice review would be undertaken during the summer 2014.

The Council accordingly invited the Chief Minister to present the Interim Report to the States for their information.