

PM/SC/046

COUNCIL OF MINISTERS

(8th Meeting)

9th February 2012**PART A**

All members were present.

Senator I.J. Gorst, Chief Minister  
 Senator P.F.C. Ozouf, Minister for Treasury and Resources (present for  
 Items A1, A3 and B9)  
 Senator A.J.H. Maclean, Minister for Economic Development  
 Senator B.I. Le Marquand, Minister for Home Affairs  
 Senator F. du H. Le Gresley, M.B.E., Minister for Social Security  
 Deputy R.C. Duhamel, Minister for Planning and Environment  
 Deputy A.E. Pryke, Minister for Health and Social Services  
 Deputy K.C. Lewis, Minister for Transport and Technical Services  
 Deputy A.K.F. Green, M.B.E, Minister for Housing  
 Deputy P.J.D. Ryan, Minister for Education, Sport and Culture

In attendance -

Senator P.F. Routier, M.B.E  
 Deputy E.J. Noel  
 J. Richardson, Interim Chief Executive, States of Jersey  
 J. Norris, Policy and Research Officer, Chief Minister's Department  
 T.J. Le Cocq, Q.C., H.M. Attorney General  
 M.N. de la Haye, Greffier of the States  
 M. Lundy, Director of Education (for Items B1 and B2)  
 J.M.E. Harris, Assistant Director – Policy and Planning, Education, Sport  
 and Culture Department (for Items B1 and B2)  
 D. Gibaut, Head of Statistics (for Item A4)  
 P. Bradbury, Director of Corporate Policy, Chief Minister's Department  
 (for Items A4 and B4)  
 M. Heald, Assistant Chief Executive (for Item B3)  
 J. Rogers, Chief Officer, Transport and Technical Services Department  
 (for Item B3)  
 B. Taylor, Deputy Chief of Police (for Item B3)  
 Mrs. J. Marshall, Head of Strategic Planning, Chief Minister's Department  
 (for Item A5)  
 Mrs. L. Rowley, Treasurer of the States (for Item B5)  
 Mrs. A. Rogers, Head of Financial Performance Reporting, States Treasury  
 (for Item B5)  
 P. Monamy, Acting 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 15th December 2011 (Parts A and B) and 12th January 2012 (Parts A and B), having been previously circulated, were taken as read and were confirmed.

8th Meeting  
09.02.12

States  
business.  
1240/7/1(1)

A2. The Council, with reference to its Minute No. A2 of 26th January 2012, gave consideration to the list of public business scheduled for consideration by the States Assembly at the meeting commencing on 21st February 2012, as follows -

**Draft States of Jersey (Transfer of Functions No. 5) (Economic Development to Chief Minister) (Jersey) Regulations 201-** (P.196/2011)

Lodged: 23rd December 2011 - *Chief Minister*.

**Draft Civil Aviation (Amendment of Law) (Jersey) Regulations 201-** (P.197/2011)

Lodged: 23rd December 2011 - *Chief Minister*.

**Draft Social Security (Amendment of Law No. 2) (Jersey) Regulations 201-** (P.1/2012)

Lodged: 4th January 2012 - *Minister for Social Security*

**Committee of Inquiry: payments on premature cessation of employment contracts** (P.2/2012)

Lodged: 11th January 2012 - *Deputy R.G. Le Hérisssier of St. Saviour*

**Manual Workers' Joint Council: Employers' Side membership** (P.3/2012)

Lodged: 12th January 2012 - *States Employment Board*

**Law Revision Board: appointment of member** (P.7/2012)

Lodged: 17th January 2012 - *Minister for Treasury and Resources*

**Draft Fire and Rescue Service (Jersey) Law 2011 (Appointed Day) Act 201-** (P.9/2012)

Lodged: 23rd January 2012 - *Minister for Home Affairs*

**Strategic Plan 2012 – Green Paper** (R.5/2012)

Presented: 16th January 2012 - Council of Ministers - (*'In Committee' debate*).

Comité des  
Connétables:  
discussion of  
matters of  
mutual  
interest.  
1444/1(59)

A3. The Council welcomed 10 members of the Comité des Connétables, apologies for absence having been received from the Connétables of St. Clement and Grouville.

The Connétable of Trinity, Chairman of the Comité des Connétables, thanked the Council for providing the Connétables with this opportunity for joint discussion of matters of mutual interest. The Chief Minister indicated that he was keen for such meetings to be held on a regular basis as they provided a useful vehicle for the exchange of views.

The Chairman of the Comité emphasised the importance with which the Connétables associated the discussion of topics with Ministers before a matter became contentious. The Minister for Treasury and Resources outlined his attendance upon the Comité hitherto, particularly in the lead-up to the previous FSR (Fundamental Spending Review) and CSR (Comprehensive Spending Review). Senator Ozouf indicated concern regarding the increasing significant cost of placing official notices in the *Jersey Evening Post Jersey Gazette* and suggested that it would now be appropriate to review the present requirements for the publication of official notices, particularly in view of the increasing prevalence of the internet and other media. The Connétable of St. Helier indicated that his Parish already utilised an online Jersey Gazette for some Parish notices and suggested that if such media were to be generally adopted in the future there remained the possibility for hard-copies to be available at Parish Halls, etc. It was accepted that not every household yet had access to a computer. The Connétable of Trinity

welcomed the possibility of moving away from the present system in respect of the publication of the numerous notices required by Licensing Assemblies. Senator Ozouf suggested the establishment of a joint working group to investigate the various aspects associated with the publication of official notices, both by the States and by the Parishes. The Connétable of St. Lawrence suggested that what was needed was a means by which to reach more people at less cost, and she offered her services as a member of the group to be established.

The Chief Minister outlined that the current highest priority for the Council of Ministers was the emerging Strategic Plan and he offered to attend upon the Comité to discuss the matter, it being agreed that this would be most appropriate after the forthcoming In Committee debate.

The Connetable of St. Helier, in his capacity as Chairman of the Privileges and Procedures Committee, suggested that from the Committee's perspective it would be preferable if Bank-Bench States members were to bring any proposals they had in mind to the Council of Ministers before being able to lodge them for debate by the States Assembly. This would ensure that the relevant Minister was apprised of the rationale for such proposals and would afford the opportunity for meaningful dialogue to occur. The Connétable indicated that his Committee might well in due course bring forward an amendment to Standing Orders so as to require such a course of action.

The Minister for Treasury and Resources suggested that further consideration needed to be given as to what activities currently undertaken by the States could be carried out by the Parishes, thus leading to the Comité having a more significant role, for example social housing provision Island-wide. The Chairman of the Comité indicated that many Parishes would welcome the return of the guarantees previously afforded by the States on the capping of interest rates on commercial loans entered into by Parishes for Parish housing schemes, as this would provide certainty to those Parishes on their ongoing future financial commitments.

The Connétable of St. John referred to the group which had been formed in his Parish to give consideration to the then emerging Island Plan, and indicated the encouragement which had been forthcoming from the former Minister for Planning and Environment that Parishes should have devolved to them some elements of the planning process.

The Connétable of St. Martin expressed concern at the potential for a reduced involvement in Island matters in the event that it were to be determined that the Connétables should no longer sit on the States. Reference was made to forthcoming proposals to change elements of the Island's policing legislation and the Minister for Home Affairs confirmed that, in the event that the Connétables were to consider that the present arrangements were not appropriate, it would be for the Chairman of the Comité to sponsor a draft law to seek to amend the situation. Senator Ozouf suggested that it was for the Comité des Connétables to work collectively in order to safeguard the position of the Connétables in the States. The Connétable of Mary suggested that the question might rather be whether a Parish system could remain. From an Island planning perspective, concern was expressed that there could be some potential for the Island Plan in respect of certain Parish areas to be under-mined through the over-involvement of Parish interests.

The Connétable of St. Lawrence raised the difficulties associated with undertakings given by individual Parishes to address speed restrictions on certain Parish roads with a speed limit of 40 m.p.h. which led to various main roads, the

speed limit on which might vary from 30 m.p.h to 40 m.p.h. It was noted that the Parish of St. Lawrence was presently addressing this matter. The view was expressed that all Parish roads should be limited to 30 m.p.h. The Minister for Transport and Technical Services undertook to meet the Connétables, either individually or collectively under the aegis of the Comité, as preferred. Senator Maclean suggested that there was a clear need for a joined-up approach Island-wide on speed limits, possibly with a move towards the centralisation of control. The Minister for Home Affairs indicated that a meeting was scheduled to be held shortly involving Home Affairs, the Comité and the Chefs de Police of the Parishes to discuss the apparent mis-match between the public perception of speed-related accidents at certain locations and the evidence which had been fully researched by the States of Jersey Police. The Connétable of St. John emphasised the need for evidenced-based research to inform debate prior to the implementation of any speed limit changes. It was agreed that, generally, speeding was the responsibility of the individual motorist and not the fault of speed limits. The Connétable of St. Mary suggested that the introduction of a system of penalty points being imposed on driving licence holders would be a significant deterrent, as well as the ability to revoke the licence of any incompetent driver. The Chief Minister indicated that in the absence of funding required to alter any particular road so as to improve safety, it was necessary to place a degree of reliance upon control by imposing speed limits. The Connétable of St. Martin suggested that the Road Traffic (Jersey) Law 1956 was well out of date and in need of urgent review and replacement (as indeed was the Motor Traffic (Jersey) Law 1935).

Senator Routier indicated that he would welcome a meeting with the Comité in order to discuss various aspects of social policy, following his recent appointment by the Council as Assistant Chief Minister with special responsibility for that area. It was suggested that this would provide an opportunity for the Senator to receive progress reports on the work of the various Community Teams, and it was agreed that the necessary arrangements would be made in conjunction with the Secretary to the Comité.

Deputy Noel asked to be provided with information from the Parishes regarding any buildings under their respective administrations which might not be fully utilised and which might be able to be made available to Third Sector organisations presently seeking premises from which to conduct activities.

The Council, having noted its outline programme of work for the first 6 months of 2012, agreed to provide a copy to the Comité for its information.

The Chairman of the Comité, having indicated that the Comité would later today be issuing a press release regarding the arrangements for Liberation Day 2012, thanked the Council for having received the Connétables. The Chief Minister thanked the Connétables for their attendance at what had been a valuable exchange of views.

Measurement  
of Jersey's  
Resident  
Population.  
1444/4(22)

A4. The Council discussed with the Head of Statistics, together with Director of Corporate Policy, Chief Minister's Department, the former's report, dated 31st January 2012, which outlined a provisional schedule for the availability of results and further information derived from the 2011 Jersey population census.

It was recalled that the Statistics Unit had published annual updates of the total resident population since 2002, with the series of annual estimates being derived from the 2001 census figure for the total population by estimating the annual change in a set of mini-censuses (of employment, school-age and pre-school populations). The Council noted that, in addition, these annual estimates

incorporated a modelling of, in particular, the rate of leaving of previously inward migrants.

It was recognised that an important analysis involved the reconciliation of the total resident population recorded by the 2011 census with the series of updates published by the Statistics Unit on an annual basis since the previous census in 2001. Further, the understanding and modelling of recent migration dynamics were an important prerequisite for the production of updated population projections which would model the changes in the current population size and structure going forward over a 70-year period, based on assumed rates of birth, death and migration patterns.

The Council noted the provisional schedule of publication dates, with that for revised population projections including scenarios of net migration being December 2012. The Council agreed to take the above-mentioned schedule into consideration in the context of any prospective development of population and migration policy.

Strategic Plan:  
in committee  
debate  
21.02.2012.  
1444/1(61)

A5. The Council, having recalled that the consultation process for the next Strategic Plan was currently in progress, with the Green Paper having been published on 16th January 2012 inviting Islanders to comment on the proposals across a range of media, discussed with the Head of Strategic Planning, Chief Minister's Department, its approach to the next phase of the consultation process which would be the In Committee debate in the States scheduled for 21st February 2012.

The Council agreed its approach to the debate, on the basis that relevant Ministers would lead the debate on the various issues to be discussed. Having recognised that States members had raised questions about resources, the Council agreed that Ministers would need to be fully aware of the resourcing process prior to the debate and, given that the States had previously indicated a preference for a short Strategic Plan document which set out strategic direction and did not include detail, the Council further agreed that it would also need to be fully aware of the delivery model.

The Council, having noted the consultation responses which had been received as at 2nd February 2012, requested the Chief Minister to discuss in due course with the Bailiff and the Greffier of the States the format of the debate. The Chief Minister was also requested to write to all members of the States to set out the format for the debate, and to provide them with all the consultation responses received to date.