

COUNCIL OF MINISTERS

(22nd Meeting)

15th October 2009**PART A**

All members were present.

Senator T.A. Le Sueur, Chief Minister (except for items B2, B3, B4 and B5)
 Senator P.F.C. Ozouf, Minister for Treasury and Resources (except for items B6 and B7)
 Senator T.J. Le Main, Minister for Housing (except for items B3, B4, B5 and B8)
 Senator F.E. Cohen, Minister for Planning and Environment (except for item B6)
 Deputy A.E. Pryke, Minister for Health and Social Services
 Senator A.J.H. Maclean, Minister for Economic Development (item A1 only)
 Senator B.I. Le Marquand, Minister for Home Affairs
 Connétable M.K. Jackson of St. Brelade, Minister for Transport and Technical Services
 Deputy J.G. Reed, Minister for Education, Sport and Culture
 Deputy I.J. Gorst, Minister for Social Security (except for item B8)
 Deputy E.J. Noel, Assistant Minister for Treasury and Resources
 Deputy J.A.N. Le Fondré, Assistant Minister to Chief Minister

In attendance -

Connétable K.P. Vibert of St. Ouen, Chairman, Comité des Connétables
 W.D. Ogley, Chief Executive, States of Jersey (except for Item Nos. B2 to B4)
 T.J. Le Cocq, H.M. Solicitor General
 J. Marshall, Strategic Planning Manager and Scrutiny Liaison Officer, Chief Minister's Department (for items A4 and B7)
 I. Black, Treasurer of the States (for item B1)
 M. Campbell, Comptroller of Income Tax (for item B1)
 D. Peedle, Economic Adviser, Chief Minister's Department (for item B1)
 C. Haws, Head of Financial Planning, Treasury and Resources Department (for item B1)
 B. Martin, Senior Economist, Chief Minister's Department (for item B1)
 Deputy S. Power, Assistant Minister for Housing (for item B2)
 Professor Christine Whitehead, University of Cambridge (for item B2)
 I. Gallichan, Chief Officer, Housing Department (for item B2)
 J. Hamon, Finance Director, Housing Department (for item B2)
 C. Mavity, Director of Policy and Development, Housing Department (for item B2)
 J. Rogers, Acting Chief Officer, Transport and Technical Services (for item B3)
 C. Anderson, Director of Transport, Transport and Technical Services (for item B3)
 R. Jouault, Acting Chief Officer, Health and Social Services Department (for item B4)

Mr. M. Littler, Directorate Manager of Medicine, Health and Social Services Department (for item B4)
D. Nurse, Director, Legal Status and Revenue, Customs and Immigration Service (for item B5)
J. Richardson, Deputy Chief Executive - Chief Officer Resources (for item B8)
R. Davies, Director of Human Resources (for item B8)
J. Morris, Policy and Research Manager
M.N. de la Haye, Greffier of the States
A-C. Heuston, Acting Clerk to the Council of Ministers

Note: The Minutes of this meeting comprise Part A and Part B.

States
Business.
1240/7/1(1)

A1. The Council reviewed the list of public business scheduled for consideration by the States Assembly during the remainder of the First Session of 2008. Particular attention was paid to the following –

- (a) **Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200-** second reading (P.86/2009); **Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200-** (P.87/2009); **Strategic Reserve Fund: use for Bank Depositors' Compensation Scheme** (P.84/2009) and **Draft Public Finances (Depositors Compensation) (Jersey) Regulations 200-** (P.85/2009) – the Council noted that the Economic Affairs Scrutiny Panel had yet to finalise its report concerning Depositors Compensation, and therefore agreed to defer the debate until 3rd November 2009;
- (b) **Draft Gambling Commission (Jersey) Law 200-** (P.139/2009); **Draft Gambling (Gaming and Lotteries) (Amendment No. 15) (Jersey) Regulations 200-** (P.140/2009); **Draft Gambling (2010 Fees) (Jersey) Regulations 200-** (P.141/2009) – the Council considered that it would require further time to discuss the proposals and the Minister for Economic Development therefore agreed to defer debate on all three projects until 17th November 2009;
- (c) **Annual Business Plan 2009: variation in respect of pay freeze – rescindment** (P.143/2009) – the Council, having made certain amendments, approved a comment to P.143/2009 and a further comment to P.143/2009Amd. and requested that both be presented to the States forthwith. (Deputy I.J. Gorst and Senator T.J. Le Main declared an interest and did not participate in the consideration of this item);
- (d) **Committee of Inquiry into the management of the Health and Social Services Department** (P.145/2009) – the Minister for Treasury and Resources advised that a comment would be presented to the States in respect of the proposition. The Minister for Health and Social Services advised that correspondence had been entered into with the Chairman of the Health, Social Security and Housing Scrutiny Panel;
- (e) **Young Offenders: naming by the media** (P.148/2009) – the Council requested the Ministers for Home Affairs, Health and Social Services and Education, Sport and Culture to consider the proposition and report back if necessary;

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- (f) **Public Holidays and Bank Holidays: designation of 26th December 2009** (P.173/2009) – Ministers expressed concern in respect of the financial implications of the proposal.

Meeting dates
for 2010.
1444/1(47)

A2. The Council received a list of dates for meetings of the Council of Ministers for 2010 as follows:

14th January
28th January
11th February
4th March
18th March
1st April
6th May
20th May
17th June
1st July
15th July
2nd September
23rd September
7th October
28th October
11th November
25th November
16th December

States
members:
quarterly
presentations.
1444/1 (43)

A3. The Council, with reference to its Minute No. A6 of 18th December 2008, considered a report dated 30th September 2009 concerning Ministers' agreement to deliver quarterly presentations to States Members regarding the role of each States department and any challenges faced over the next 2-3 years.

The Council agreed that the presentations should take place on the following dates during the lunch period of the States sitting:

**19th January 2010 -
20th April 2010
19th July 2010 -
12th October 2010**

Agenda items
for meeting
with
Chairmen's
Committee.
1444/4(4)

A4. The Council, with J. Marshall, Strategic Planning Manager and Scrutiny Liaison Officer, Chief Minister's Department, in attendance, considered a report dated 6th October 2009 regarding its scheduled meeting with the Chairmen's Committee at 2 p.m. on 12th November 2009.

The Council recalled that chairmanship of each meeting would alternate between the Chief Minister and the President of the Chairmen's Committee, with responsibility for compiling the agenda residing with the chairman of that meeting. Accordingly, the meeting of 12th November 2009 would be chaired by the Chief Minister, with the agenda to be compiled by the Council of Ministers.

The Council agreed to discuss the following subjects with the Committee:

- (a) **Ministers' responses to Scrutiny Reports.** The Council recalled that at a recent meeting it had agreed to use a template for responding to

reports. In this respect, it agreed to discuss the following with the Chairmen's Committee:

- (i) the inclusion of cost assessments or manpower implications with each recommendation made in scrutiny reports, to ensure that these would be taken into account during scrutiny reviews;
 - (ii) the identification of the cost and/or manpower implications of scrutiny recommendations in Ministerial responses, to ensure that any unidentified financial or resource implications would be identified and published;
 - (iii) the establishment of a timetable for Ministerial responses prior to the publication of scrutiny reports, to ensure full consideration by the Minister of complex matters and clarity with regard to deadlines for responses.
- (b) **Timetabling.** The Council agreed to request that Scrutiny Panels avoid holding public hearings on scheduled meeting dates of the Council of Ministers.
- (c) **Travel expenses.** The Council noted that a request had been made by the Chairmen's Committee concerning travel expenses for members of Scrutiny and it was agreed that this matter could be discussed at a future meeting.