

COUNCIL OF MINISTERS

(70th Meeting)

3rd February 2011**PART A**

All members were present, with the exception of Senator F.E. Cohen, Minister for Planning and Environment, and Deputy S.S.P.A. Power, Minister for Housing, from whom apologies had been received.

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, Assistant 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

In attendance -

W.D. Ogley, Chief Executive, States of Jersey
 T.J. Le Cocq, Q.C, H.M. Attorney General
 J. Morris, Policy and Research Manager
 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 only.

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 2011. Particular consideration was given to the following propositions -

- (a) **Pomme d'Or Farm: refurbishment (P.177/2010)** – the Council noted that the Minister for Treasury and Resources was continuing to investigate possible funding solutions within existing cash limits;
- (b) **Esplanade Quarter: deferment of works (P.181/2010)** – the Council was minded to endorse the proposition, subject to confirmation that its adoption would not give rise to significant legal difficulties that might frustrate the legitimate operation of the Waterfront Enterprise Board or its successor, the States of Jersey Development Company;
- (c) **Ratification of the Agreement for the exchange of information relating to tax matters between the Government of Jersey and the Government of the Republic of Turkey (P.195/2010)** – the Council re-affirmed its endorsement of the proposition;
- (d) **Ratification of the Agreement for the exchange of information relating to tax matters between the Government of Jersey and the**

Government of the Republic of the United Mexican States (P.196/2010) – the Council re-affirmed its endorsement of the proposition;

- (e) **Draft Companies (Amendment No. 5) (Jersey) Regulations 201- (P.197/2010)** – the Council endorsed the proposition;
- (f) **Draft Gambling (Remote Gambling Disaster Recovery) (Amendment) (Jersey) Regulations 201- (P.199/2010)** – the Council endorsed the proposition on the basis that it would give effect to a previous decision of the States Assembly regarding the licensing of e-gaming in Jersey. In doing so the Council acknowledged that several Ministers continued to harbour concerns regarding the morality of e-gaming and the potential scope for harm arising from instances of gambling addiction;
- (g) **Standing Orders: Time Limits on Speeches During Debates (P.1/2011)** – the Council, having noted that the matter for debate was not one on which it would normally seek to form a collective view, agreed that individual Ministers should make their views known during the debate and vote accordingly;
- (h) **Cold weather payments: amendment to income support (P.4/2011)** – the Council resolved to present a comment highlighting its opposition to the proposition on the following grounds -
 - (i) the Eco Active Home Energy Scheme funded by the Planning and Environment Department and the Jersey Electricity Company already offered 100 per cent grant funded insulation and other services to households registered for income support and / or to individuals aged over 65 and who were registered on the Jersey Health Plan;
 - (ii) the accompanying report failed to outline the full implications of withdrawing £315,000 from the budget of the Economic Development Department, not least because the cost-neutral status of the Jersey Enterprise Awards event had not been acknowledged;
 - (iii) implementing P.4/2011 would cost significantly more than the sum envisaged by the proposer; and,
 - (iv) there were already other unfounded policy initiatives that would deliver greater public benefit than the proposal outlined in P.4/2011.

In view of (ii) and (iii) above, the Council also endorsed the intention of the Minister for Economic Development to lodge an amendment to the proposition proposing that, if adopted, the Council should be charged with reallocating existing cash limits to deliver the necessary funding;

- (i) **Income Support Medical Appeal Tribunal: appointment of members (P.11/2011)** – the Council endorsed the proposition;
- (j) **Social Security Tribunal: appointment of members (P.11/2011)** – the Council endorsed the proposition;
- (k) **Jersey Employment Tribunal: appointment of members (P.12/2011)** – the Council endorsed the proposition;
- (l) **Minister for Treasury and Resources: request to Chief Minister to lodge proposition for dismissal – petition (P.16/2011)** – the

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Council affirmed its full endorsement of the Minister for Treasury and Resources and noted that the Chief Minister would present a comment outlining his firm opposition to the proposition;

- (m) **Manual Workers' Joint Council: Employers' Side membership (P.17/2011)** – the Council endorsed the proposition;
- (n) **North of Town Masterplan (Revised) P.190/2010** – the Council noted that the proposition was listed for debate on 1st March 2011 and confirmed that it would wish to oppose any further deferral of the debate on P.190/2011;
- (o) **Composition of the States: implementation of remaining Clothier reforms – referendum (P.3/2011)** – the Council, having expressed concern that the interpretation of answers to the multi-faceted question posed in P.3/2011 would be problematic, resolved to present a brief comment opposing the proposition;
- (p) **Electoral Commission: establishment (P.15/2011)** – the Council expressed a degree of concern at the £260,000 cost envisaged by the proposer;
- (q) **Standing Orders: Oral Questions with Notice (P.18/2011)** – the Council concluded that the proposal would introduce an unnecessary element of confusion to proceedings and, on that basis, resolved to present a comment opposing the proposition;
- (r) **Historical Child Abuse: Request to Council of Ministers (P.19/2011)** – the Council, having recalled that it had outlined its views on a committee of inquiry in R.8/2011, agreed that it would have regard to the view expressed by the States Assembly

The Council noted that draft comments to a number of the propositions listed above would be prepared for endorsement at its next scheduled meeting.

Further to the foregoing, and with reference to P.1 and P.18/2011, the Council noted the intention of the Chief Minister to discuss with the Chairman of the Privileges and Procedures Committee the relative scope for making any further improvements to the efficiency of the States Assembly prior to the 2011 public elections.

Ministerial
Code of
Conduct:
breach by
Deputy S.
Power.
939/1(72)
1240/9/2(78)

A2. The Council, with reference to its Minute No. B1 of 1st February 2011, acknowledged that on 2nd February 2011 Deputy S.S.P.A. Power had tendered his resignation as Minister for Housing. It further noted the intention of the Chief Minister to nominate his preferred candidate for the post of Minister for Housing at the next meeting of the States on 15th February 2011.

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

A3. The Council, with reference to its Minute No. A2 of 3rd December 2011, noted that the Minister for Education, Sport and Culture would deliver a lunchtime presentation to States Members on 15th February 2011 concerning the forthcoming green paper on education provision and other related policy matters.

Senator P.F.C. Ozouf was not present for this item.