

IC/SC/086

COUNCIL OF MINISTERS

(12th Meeting)

15th March 2012**PART A**

All members were present, with the exception of Senator P.F.C. Ozouf, Minister for Treasury and Resources, from whom apologies had been received.

Senator I.J. Gorst, Chief Minister
 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 E.J. Noel, Assistant Minister for Treasury and Resources
 Deputy A.K.F. Green, M.B.E, Minister for Housing
 Deputy P.J.D. Ryan, Minister for Education, Sport and Culture

In attendance -

J. Richardson, Interim Chief Executive, States of Jersey
 H. Sharp, Q.C, H.M. Solicitor General
 L. Rowley, Treasurer of the States (for items B1 to B4)
 I. Gallichan, Chief Officer, Housing Department (for items B1 and B2)
 P. Staley, Law Draftsman (for item B5)
 P. Bradbury, Director of Corporate Policy (for items B1 and B6)
 W. Gardiner, Programme Manager - Housing Transformation Programme (for item B1)
 J. Hamon, Finance Director, Housing Department (for item B2)
 J. Harris, Assistant Director, Policy and Planning, Education, Sport and Culture Department (for item B6)
 M. Maletroit, Assistant Legal Adviser (for item A3)
 J. Marshall, Head of Strategic Planning (for item A1)
 C. Mavity, Director of Strategic Development, Housing Department (for item B2)
 M. Washington, Consultant – Corporate Financial Strategy, Treasury and Resources Department (for item B3)
 R. Whitehead, Principal Legal Adviser (for item A3)
 J. Norris, Research and Policy Officer
 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 and Part B.

Draft Strategic
 Plan 2012.
 1444/1(61)

A1. The Council, with reference to its Minutes Nos. B1 and B2 of 9th March 2012, recalled that it had agreed a series of amendments to the draft Strategic Plan 2012.

The Council, with the Head of Strategic Planning in attendance, considered a revised draft Strategic Plan 2012, together with a draft foreword in the name of the

Chief Minister.

A series of further minor editorial changes were made to the text of the draft to clarify various matters including, but not exclusive to, the following –

- (a) that both tourism and agriculture continued to have an important role to play in the maintenance of a strong and sustainable Island economy;
- (b) the importance of promoting apprenticeships as part of a generally broader range of vocational training options;
- (c) the key challenges and opportunities affecting the sustainable delivery of services across the Health and Social Services Department portfolio;
- (d) the Council's commitment to achieving modernisation and reform across the public sector;
- (e) that the Council wished to pursue the maintenance and proportionate strengthening of the parochial system in consultation with the Comité des Connétables;
- (f) that permissions for additional non-locally qualified staff would only be given in limited cases over the next 12 months;
- (g) that the Council would work with the Parish of St. Helier to develop a long term strategy for the commercial future of the town centre;
- (h) that the Council would develop long term revenue and capital plans; and
- (i) that the statement on page 16 of the draft concerning acceptable use of the Stabilisation Fund should, for the avoidance of doubt, be classified as an existing resource principle.

Having reflected on the requirements of the States of Jersey Law 2005 and the construction of the draft Strategic Plan, the Council agreed that the necessary proposition should be drafted so as to enable a suitably comprehensive debate on the vision, priorities and resource principles as set out on pages 4 to 16 inclusive of the draft under consideration.

The Council, having fully endorsed the revised draft Strategic Plan 2012 subject to the various clarifications recorded above, delegated to the Chief Minister the authority to approve and lodge 'au Greffe' the final draft no later than Monday 19th March 2012.

The Head of Strategic Planning was authorised to take the necessary action.

States
business.
1240/7/1(1)

A2. The Council, with reference to its Minute No. A1 of 9th March 2012, noted the list of public business scheduled for consideration by the States Assembly during the First Session of 2012. Particular consideration was given to the following items.

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

The Council noted that the Minister for Social Security had presented a comment to the States.

Ex gratia payment: Mr. D. Turner (P.166/2012)

The Council considered a draft comment prepared by the Minister for Planning and Environment.

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Speaking in his capacity as Deputy for the district of St. Helier in which the main events cited in the proposition had occurred, Deputy A.K.F. Green, M.B.E apprised the Council of his concern that the Environment Department may have given the relevant witness a clear indication that he would receive payment of the sum cited in the proposition. This assertion was not accepted by the Minister for Planning and Environment.

The Council considered the particular circumstances of the case, together with the relevant provisions of the Planning and Building (Jersey) Law 2002 and with the benefit of associated legal advice given by H.M. Solicitor General. Having acknowledged the obligation of the Minister for Planning and Environment to uphold the law and having noted also that the proposer had promised to present an addendum to the proposition setting out the full facts of this case but had not done so, the Council noted and fully endorsed the intention of the Minister for Planning and Environment to oppose the proposition as drafted.

Draft States of Jersey Police Force Law 201- (P.182/2011)

The Council noted that the Minister for Home Affairs intended to defer debate on P.182/2011 on the basis that he needed to lodge *'au Greffe'* an amendment to his proposition. It was also understood that the Comité des Connétables intended to lodge the related draft Connétables (Miscellaneous Provisions) (Jersey) Law 201-, which would, amongst other things, repeal the policing functions of the Connétables.

Prescription charges and income support for primary health costs (P.20/2012)

The Council noted that both the Minister for Health and Social Services and the Minister for Social Security were preparing draft comments to the proposition. These would be tabled for consideration by the Council at its next scheduled meeting.

Deputy E.J. Noel was not present for this item.

Money
Laundering
and Weapons
Development
(Directions)
(Amendment)
(Jersey) Law
201-
718(2)

A3. The Council, with the Principal Legal Adviser and the Assistant Legal Adviser in attendance, considered the draft Money Laundering and Weapons Development (Directions) (Amendment) (Jersey) Law 201-.

The Council was advised that the amendment would replace Article 10 of the Money Laundering and Weapons Development (Directions) (Jersey) Law 2012, which provided for an appeal to the Royal Court. If approved, the amendment would provide the Royal Court with the same powers of determination as those of the English High Court in cases involving a review of equivalent decisions made under the Counter-Terrorism Act 2008 of the United Kingdom. It would also bring Article 10 of the 2012 Law into line with Article 29 of the Terrorist Asset-Freezing (Jersey) Law 2011.

The Council noted and endorsed the Chief Minister's intention to lodge the draft Law *'au Greffe'* in due course.

Deputy E.J. Noel was not present for this item.