

PM/JAC/084

COUNCIL OF MINISTERS

(47th Meeting)

13th March 2013**PART A**

All members were present with the exception of Senator A.J.H. Maclean, the Minister for Economic Development, from whom apologies had been received.

Senator I.J. Gorst, Chief Minister
 Senator P.F.C. Ozouf, Minister for Treasury and Resources
 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., Assistant to the Chief Minister
 E.J. Noel, Assistant Minister for Treasury and Resources
 S. Austin-Vautier, Deputy Chief Executive, States of Jersey
 M.N. de la Haye, Greffier of the States
 H. Sharp, Q.C., H.M. Solicitor General
 L. Hart, 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 February (Part B only) and 27th February 2013 (Part A and part B), having been previously circulated were taken as read and were confirmed. It was agreed that item B1 from 27th February 2013 (relating to the Housing Transformation Programme) would be moved to Part A, as that matter was now in the public domain, and the Minutes would be signed at a later date.

States
 business.
 1240/7/1(1)

A2. The Council, with reference to its Minute No. A3 of 27th February 2013, noted the list of public business scheduled for consideration by the States Assembly during the remainder of the First Session 2013. Particular consideration was given to the propositions listed below where indicated.

19th March 2013

Green Initiative Fund: establishment (P.12/2013)

The Minister for Planning and Environment advised that whilst he supported the principles expounded within the proposition he disagreed with much of the detail, particularly in respect of the funding mechanisms and therefore he would not be voting in favour of the proposition as drafted. The Minister for Treasury and Resources advised that he had been unable to meet with Deputy G.P. Southern to discuss his concerns relating to the proposition because of the disruption caused by the recent snow, and he was therefore considering requesting that the matter be

deferred until those discussions could take place. It was agreed that both the Minister for Planning and Environment and the Council of Ministers would present comments on the proposal in due course and the Council delegated responsibility for confirming its comments to the Chief Minister and Minister for Treasury and Resources.

Minimum wage: revised hourly rate from 1st April 2013 (P.25/2013)

The Council endorsed the proposition.

Draft Employment (Minimum Wage) (Amendment No. 9) (Jersey) Regulations 201- (P.13/2013)

The Council endorsed the Draft Regulations.

Draft Social Security (Amendment of Law No. 5) (Jersey) Regulations 201- (P.15/2013) and amendment

The Council endorsed the Draft Regulations and, having noted that the amendment lodged by Deputy G.P. Southern would result in additional costs to the States, concluded that it did not support this amendment.

Beach House, Green Island, St. Clement: grant of a right to access through the sea wall (P.16/2013)

It was noted that Deputy E.J. Noel, Assistant Minister would be acting as Rapporteur for this matter in the Minister for Treasury and Resources' absence. The Minister for Transport and Technical Services advised that his officers did not consider that the access would constitute a breach in the sea defences.

Draft Restriction on Smoking (Advertising, Promotion and Display) (Jersey) Regulations 201- (P.17/2013)

The Council endorsed the draft Regulations.

Draft Restriction on Smoking (Amendment No. 3) (Jersey) Law 201- (P.18/2013)

The Council endorsed the draft Law.

Draft Residential Tenancy (Jersey) Law 2011 (Appointed Day) Act 201- (P.19/2013)

The Council endorsed the proposition.

Draft Amendment (No. 20) of the Standing Orders of the States of Jersey (P.29/2013)

The Council endorsed the proposition.

Draft Companies (Amendment No. 7) (Jersey) Regulations 201- (P.20/2013)

The Council endorsed the draft Regulations.

Channel Islands Lottery: allocation of profits for 2012 (P.21/2013)

The Minister for Education, Sport and Culture expressed concerns regarding the capability of a summer lottery to provide sufficient funds for the Jersey Heritage Trust, given the problems experienced in 2012.

Ratification of the Agreement for the Exchange of Information Relating to Tax Matters between the Government of Jersey and the Government of Brazil (P.22/2013)

The Council endorsed the proposition.

Ratification of the Agreement for the Exchange of Information Relating to Tax Matters between the Government of Jersey and the Government of

Latvia (P.23/2013)

The Council endorsed the proposition.

Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 6) (Jersey) Regulations 201- (P.24/2013)

The Council endorsed the proposition.

Independent Planning Appeals Tribunal; establishment (P.26/2013)

The Council noted that comments on the proposal had been prepared by officers of the Environment Department. The Minister for Planning and Environment advised that his Green Paper on this matter was to be published on 15th March 2013. He opined that the proposal pre-empted the outcome of the consultation and sought to predetermine the best way forward and he was considering asking Deputy J.H. Young to withdraw this proposition. The Minister for Home Affairs noted that the proposals could result in a more complicated 'three stage' appeal system. It was agreed that the Minister for Treasury and Resources should also produce a comment, concentrating upon the financial and manpower implications contained within the report and proposition, which were considered to be somewhat unrealistic.

Liberty Bus: reinstatement of Route 18 to Le Squez and Le Marais (P.28/2013).

The Council noted that the reinstatement of a thoroughfare at Le Squez would have a cost implication of up to £1.5 million for the Minister for Housing, as the redevelopment of that area had been altered to take account of the changes to Route 18. The Minister for Transport and Technical Services advised that the changes to the bus contract positioned his Department in a solely regulatory role and he was unable to 'dictate' route changes to Liberty Bus. Even if the States adopted the proposition the company was not obliged to reinstate the route.

Matters
arising.

A3. The Council noted the following matters –

(a) the suspension of the Dean of Jersey –

It was suggested that the Assembly might expect a statement to be made by the Chief Minister in relation to the recent suspension of the commission of the Dean of Jersey. The Council concurred that this was a matter for the Church and it would not be appropriate for a statement to be made by the Chief Minister at this time; and;

(b) the recent snow –

The Council wished to extend its thanks to all those who had worked during the recent blizzards to ensure that key services were maintained. Particular praise was given to the Transport and Technical Services gritting teams and the Council acknowledged the pivotal role that Radio Jersey had played in updating Islanders.

End of Part A