

PM/MH/209

COUNCIL OF MINISTERS

(23rd Meeting)

22nd July 2015**PART A (Non-exempt)**

All members were present, with the exception of Deputy E.J. Noel of St. Lawrence, Minister for Transport and Technical Services and Deputy K.L. Moore of St. Peter, Minister for Home Affairs, from whom apologies for absence had been received.

Senator I.J. Gorst, Chief Minister
 Senator A.J.H. Maclean, Minister for Treasury and Resources
 Senator L.J. Farnham, Minister for Economic Development
 Senator Sir P.M. Bailhache, Minister for External Relations
 Senator A.K.F. Green, M.B.E, Minister for Health and Social Services
 Deputy A.E. Pryke of Trinity, Minister for Housing
 Deputy S.J. Pinel of St. Clement, Minister for Social Security
 Deputy S.G. Luce of St. Martin, Minister for Planning and Environment
 Deputy R.G. Bryans of St. Helier, Minister for Education, Sport and Culture

In attendance -

Senator P.F.C. Ozouf, Assistant Chief Minister
 Connétable J.M. Refault of St. Peter, Assistant Minister for Health and Social Services
 J.D. Richardson, Chief Executive, States of Jersey
 M.N. de la Haye, O.B.E., Greffier of the States
 R.J. MacRae, Q.C., H.M. Attorney General
 Dr. S. Turnbull, Medical Officer of Health (for item B1)
 C. Blackwood, Head of Professional and Care Regulation, Health and Social Services (for item B1)
 S. Duhamel, Director – Policy and Strategy, Social Security (for item B2)
 H. O’Shea, Hospital Director, Health and Social Services (for item B2)
 J.M.E. Harris, Head of Policy and Strategy, Education, Sport and Culture (for item B3)
 R. Cheal, Head of Capital Projects, Jersey Property Holdings (for item B3)
 B. Freeman, Principal Architect, Jersey Property Holdings (for item B3)
 P. Letch, Deputy Headteacher, Les Quennevais School (for item B3)
 R. Foster, Director of Estates, Treasury and Resources (for items B3 and B4)
 M. Heald, Project Director, Office Strategy, Chief Minister’s Department (for item B4)
 M. Bradshaw, Capita (for item B4)
 D. Marcos, Senior External Relations Officer (for item B5)
 G.C. Powell, C.B.E., Adviser – International Affairs, Chief Minister’s Department (for item B6)
 L. Adams, Lead Policy Advisor – Digital Strategy, Chief Minister’s Department (for item B6)
 M. King, Chief Officer, Economic Development (for item B6)
 V. Page, Assistant to the Chief Minister
 C. Keir, Assistant Director – Ministerial Support and Communications

P. Monamy, Clerk to the Council of Ministers
A. Vatcher, Student 'shadowing' the Assistant Chief Minister
M. Bertram, Student 'shadowing' the Minister for Education, Sport and Culture

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

Minutes. A1. The Minutes of the meetings held on 4th June (Part A only), 10th June (Part A and Part B), 18th June (Part B only), 24th June (Part A and Part B), 3rd July (Part B only) and 8th July 2015 (Part A and Part B), having been previously circulated, were taken as read and were confirmed.

Draft Air and Sea Ports (Incorporation) (Jersey) Law 2015 (Appointed Day) Act 201- and Draft Air and Sea Ports Incorporation (Transfer) (Jersey) Regulations 201-: approval and lodging 'au Greffe.' 1468/(1) 1468/

A2. The Council, with reference to its Minute No. A1 of 29th May 2015, considered a report dated 20th July 2015 prepared by the Strategy Manager, Economic Development concerning the Draft Air and Sea Ports (Incorporation) (Jersey) Law 2015 (Appointed Day) Act 201- and the Draft Air and Sea Ports Incorporation (Transfer) (Jersey) Regulations 201-, which together would complete the incorporation of the Ports of Jersey.

Having recalled the background to the present proposal, the Council noted that the Air and Sea Ports (Incorporation) (Jersey) Law 2015 had received Royal Assent on 15th July 2015. The Appointed Day Act would bring the Law into force in 2 tranches: the first would immediately activate the Regulation-making powers in the Law and thus allow the Transfer Regulations to proceed to debate, and would also create the new company as a 'shell' with no assets or legal duties; the second tranche would bring the remainder of the Incorporation Law into force on 1st October 2015 and provide the new Ports of Jersey Limited with the powers and duties provided for in the Law.

The Council noted that the Transfer Regulations would –

- transfer the staff to the new company on the terms agreed by the States in Part 5 of the Incorporation Law. The staff to be transferred were those who reported, directly or indirectly, to the Group Chief Executive of the Ports of Jersey;
- transfer the movable property to the new company, including those items on the 'asset registers' of Jersey Harbours and Jersey Airport;
- transfer the immovable property to the new company, consisting only of the land around and ancillary to the airport, as the harbour land was primarily on the foreshore and thus could not be transferred freehold and would be subject to a separate lease agreement.

Having recognised the immediate 'nil' financial and manpower implications of the proposal, given that the assets, staff and property of Jersey Harbours and Jersey Airport would in due course be moved out of the States of Jersey, with the resultant financial and manpower effects, the Council accordingly approved the Draft Appointed Day Act and Draft Transfer Regulations for lodging 'au Greffe', and asked that they be taken into consideration on 8th September 2015.