

PM/MH/147

COUNCIL OF MINISTERS

(49th Meeting)

18th May 2016**PART A (Non-exempt)**

All members were present, with the exception of Deputy S.J. Pinel of St. Clement, Minister for Social Security, from whom apologies for absence had been received.

Senator I.J. Gorst, Chief Minister  
 Senator L.J. Farnham, Minister for Economic Development, Tourism, Sport and Culture (not present for items B1 and B4)  
 Deputy R.G. Bryans of St. Helier, Minister for Education (not present for items A1, A2 and B6)  
 Deputy S.G. Luce of St. Martin, Minister for the Environment  
 Senator Sir P.M. Bailhache, Minister for External Relations (not present for items A2 and B4)  
 Senator A.K.F. Green, M.B.E., Minister for Health and Social Services  
 Deputy K.L. Moore of St. Peter, Minister for Home Affairs  
 Deputy A.E. Pryke of Trinity, Minister for Housing  
 Deputy E.J. Noel of St. Lawrence, Minister for Infrastructure  
 Senator A.J.H. Maclean, Minister for Treasury and Resources  
 Deputy G.J. Truscott of St. Brelade, Assistant Minister for Social Security

In attendance -

Senator P.F. Routier, M.B.E., Assistant Chief Minister  
 Connétable J.M. Refault of St. Peter, Assistant Minister for Treasury and Resources and Assistant Minister for Health and Social Services  
 Deputy P.D. McLinton, Assistant Minister for Health and Social Services (for item B3 and B4)  
 J.D. Richardson, Chief Executive, States of Jersey  
 Dr. M. Egan, Greffier of the States  
 R.J. MacRae, Q.C., H.M. Attorney General  
 R. Bell, Treasurer of the States (for items B1 and B2)  
 A. Rogers, Director of Financial Planning and Performance, Treasury and Resources Department (for item B1)  
 D. Peedle, Economic Adviser, Chief Minister's Department (for item B2)  
 C. Haws, Head of Financial Planning, Treasury and Resources Department (for item B2)  
 R. Summersgill, Comptroller of Taxes (for item B2)  
 R. Williams, Director, System Redesign and Delivery, Health and Social Services Department (for item B3)  
 M. Richardson, Assistant Director, Policy and Ministerial Support, Health and Social Services Department (for item B3)  
 S. Duhamel, Director – Policy and Strategy, Social Security Department (for item B3)  
 I. Dyer, Service Director for Older People and Policy Lead, Health and Social Services Department (for item B4)  
 M. Berry, Assistant Legal Adviser, Law Officers' Department (for item B4)  
 F. Le Gros, Assistant Legal Adviser, Law Officers' Department (for item B4)

A. Hamon, Policy Officer, Department for Community and Constitutional Affairs (for item B4)  
A. Scate, Chief Executive Officer, Department of the Environment and Lead for Public Sector Reform (for item B5)  
A. Sugden, Deputy Chief Officer, Economic Development, Tourism, Sport and Culture Department (for item B4)  
P. Bradbury, Director – Corporate Policy, Chief Minister’s Department (for items A1 and B6)  
Dr. I. Skinner, Assistant Director, Strategy and Policy, Chief Minister’s Department (for item B6)  
V. Page, Policy and Research Officer  
P. Monamy, Clerk to the Council of Ministers

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

States business  
24.05.2016.  
1240/7/1(1)

A1. The Council, with reference to its Minute No. A2 of 4th May 2016, and with the Director – Corporate Policy, Chief Minister’s Department in attendance, noted the list of public business scheduled for consideration by the States Assembly on 24th May 2016, and commented specifically on the following -

**Draft Education (Amendment No. 3) (Jersey) Law 201-** (Principles adopted 26.04.2016) (P.15/2016)

*Lodged ‘au Greffe’ 29th February 2016 – Minister for Education*  
The Council noted that this item was to be deferred.

**Draft Motor Vehicle Registration (Amendment No. 5) (Jersey) Law 201-** (P.24/2016)

*Lodged ‘au Greffe’ 14th March 2016 – Minister for Infrastructure*  
The Council, having recalled that it had previously suggested that the draft Law be deferred, noted that it was to be withdrawn.

**Outsourcing** (P.29/2016)

*Lodged ‘au Greffe’ 18th March 2016- Deputy G.P. Southern of St. Helier*  
The Council recalled that it had previously agreed to oppose the proposition on the basis that it was impractical and would jeopardise the government’s ability to balance the Island’s finances, and also that separate comments should be presented to the States in the name of the Council and the States Employment Board. The Council, having noted that a comment in the name of the Council was in the course of preparation, delegated to the Deputy Chief Minister responsibility for the finalisation of its comment.

**Draft Financial Regulation (Miscellaneous Provisions No. 4) (Jersey) Law 201-** (P.30/2016)

*Lodged ‘au Greffe’ 22nd March 2016 – Chief Minister*  
The Council supported the draft Law.

**Draft Criminal Justice (Young Offenders) (No. 2) (Jersey) Law 201-** (P.33/2016)

*Lodged ‘au Greffe’ 6th April 2016 – Minister for Home Affairs*  
The Council supported the draft Law.

**Draft Licensing (No. 18) (Jersey) Regulations 201-** (P.34/2016)

*Lodged ‘au Greffe’ 11th April 2016 – Minister for Economic Development, Tourism, Sport and Culture*  
The Council supported the draft Regulations.

**Draft Removal of Vehicles (Private Land) (Jersey) Regulations 201-** (P.36/2016)*Lodged 'au Greffe' 11th April 2016 – Minister for Housing*

The Council noted that the draft Regulations were to be deferred pending review by the relevant Scrutiny Panel.

**Draft Discrimination (Age ) (Jersey) Regulations 201-** (P.37/2016)*Lodged 'au Greffe' 12th April 2016 – Minister for Social Security*

The Council supported the draft Regulations.

**Draft Employment (Amendment No. 10) (Jersey) Law 201-** (P.38/2016)*Lodged 'au Greffe' 12th April 2016 – Minister for Social Security*

(and **Amendment** – *Lodged 'au Greffe' 10th May 2016 – Deputy S.Y. Mézec of St. Helier*)

The Council decided to comment on the draft Law, indicating that it supported the proposed changes to the Employment Law as set out in the draft Law, including the proposed enabling power relating to the minimum wage. The Minister for Social Security was asked to arrange for officers of her department to prepare and circulate lines for individual Ministers to take in support of the projet during the debate.

**Nursery funding: implementation of proposed changes** (P.39/2016)*Lodged 'au Greffe' on 12th April 2016 – Deputy M. Tadier of St. Brelade*

(and **Amendment** – *Lodged 'au Greffe' 3rd May 2015 – Minister for Education*)

The Council reiterated its support for the principle of means testing, recalling that the proposed removal of a universal benefit was in line with previous States decisions. The Minister for Education was asked to arrange for officers of his department to prepare and circulate lines for individual Ministers to take in support of the projet during the debate.

**Collective Responsibility Statements: propositions, amendments, comments or statement lodged or submitted by a Minister** (P40/2016)*Lodged 'au Greffe' 12th April 2016 – Deputy S.M. Wickenden of St. Helier*

The Council reiterated that, whilst it considered that the Code of Conduct and Practice for Ministers and Assistant Ministers was sufficiently clear with regard to voting in accordance with collective responsibility, it supported examination of this area by the Privileges and Procedures Committee.

**Rate Appeal Board: appointment of members** (P.41/2016)*Lodged 'au Greffe' 21st April 2016 – Minister for Treasury and Resources*

The Council supported the proposition.

**Financial institutions registered in Jersey: links to Panamanian legal firm Mossack Fonseca** (P.42/2016)*Lodged 'au Greffe' 26th April 2016 – Deputy G.P. Southern of St. Helier*

The Council, with reference to its Minute No. A1 of 16th May 2016, recalled that it had previously approved a comment on the proposition.

Forthcoming  
announcements.

A2. The Council, with reference to its Minute No. A3 of 4th May 2016, discussed with the Director – Corporate Policy and the Assistant Director – Ministerial Support and Communications, Chief Minister's Department a schedule of forthcoming announcements and communications.

The Council noted that Minister for Social Security proposed to lodge 'au Greffe' on 31st May 2016 the following 3 items of legislation, with a view to achieving their debate on 12th July 2016 –

- Income Support Regulations: to uprate the private sector housing components in line with the increase in the average market rental value of Andium social housing stock;
- Health Insurance Law: prior to the implementation of the Primary care Strategy, to continue to temporarily expand the remit of the Health Insurance Law to extend the way in which primary care services could be provided, by allowing for the concept of a prescribing practitioner, able to write prescriptions covered by the Health Insurance Fund;
- 65 plus Health Plan Regulations: to create an appropriate legal structure (in line with similar benefits) to provide for claimants to deduct from bills the amount of dental, optical and chiropody costs for both check-ups and treatments (up to specified levels) at the time of payment, on the basis that the claimant would only pay the net amount (if any), with the practitioner then invoicing the Department directly.

The Minister for Infrastructure indicated that he would shortly be making a press release announcing that the new sludge digestion plant was achieving a saving of £800 a day on electricity usage costs.

The Council also noted that the Minister for Infrastructure had approved the launch of an initiative which aimed to increase cycling in the Island by broadening the range of cycle users and the use of the E-bike as an alternative to the car, in accordance with the States' Sustainable Transport Policy. The 'car2cycle' scheme would be trialled from 1st June 2016 and the department would liaise with local retailers regarding the introduction of the scheme.