

PM/MH/205

COUNCIL OF MINISTERS

(80th Meeting)

12th July 2017**PART A (Non -exempt)**

All members were present, with the exception of Senator L.J. Farnham, Minister for Economic Development, Tourism, Sport and Culture and Deputy R.G. Bryans of St. Helier, Minister for Education, from whom apologies were received.

Senator I.J. Gorst, Chief Minister (not present for item B1)  
 Deputy S.G. Luce of St. Martin, Minister for the Environment  
 Senator Sir P.M. Bailhache, Minister for External Relations (not present for item 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  
 Deputy S.J. Pinel of St. Clement, Minister for Social Security  
 Senator A.J.H. Maclean, Minister for Treasury and Resources

In attendance -

Senator P.F. Routier, M.B.E., Assistant to the Chief Minister  
 Connétable S.W. Pallett of St. Brelade, Assistant Minister for Economic Development, Tourism, Sport and Culture  
 Deputy S.M. Wickenden of St. Helier, Assistant to the Chief Minister  
 J.D. Richardson, Chief Executive, States of Jersey  
 Dr. M. Egan, Greffier of the States  
 R.J. MacRae, Q.C., H.M. Attorney General  
 A. Hacquoil, Director of Finance and Governance, Social Security Department (for item B1)  
 S. Duhamel, Policy and Strategy Director, Social Security Department (for item B1)  
 C. Kelleher, Strategic Policy Manager, Economic Development, Tourism, Sport and Culture Department (for item B2)  
 K. Nutt, Head of Service, Ministry of External Relations (for item B3)  
 D. Walwyn, Director, Ministry of External Relations (for item B3)  
 C. May, Communications Manager, Ministry of External Relations (for item B3)  
 J. Rogers, Chief Officer, Department for Infrastructure (for item B4-B7)  
 E. Littlechild, Director of Operational Services, Department for Infrastructure (for item B4-B7)  
 J. Littlewood, Finance Director, Department for Infrastructure (for item B4-B7)  
 P. Bradbury, Director - Corporate Policy, Chief Minister's Department  
 C. Keir, Assistant Director - Ministerial Support and Communications  
 P. Monamy, Clerk to the Council of Ministers

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

Minutes.

A1. The Minutes of the meeting held on 14th June 2017 (Part A), having been previously circulated, were taken as read and were conformed.

States business  
18.07.2017.  
1240/7/1(1)

A2 The Council, with reference to its Minute No. A1 of 14th June 2017, discussed with the Director – Corporate Policy, Chief Minister’s Department the list of public business scheduled for consideration by the States Assembly on 18th July 2017 and commented specifically on the undermentioned items:

**Draft States of Jersey Police Force (Amendment No. 2) (Jersey) Law 201- (P.30/2017)**

The Council noted that the draft Law would:

- place the Independent Custody Visitor Scheme on a statutory footing;
- enable the Chief Officer of the States of Jersey Police to charge for police goods and services in accordance with guidelines issued by the Minister; and
- set out the circumstances in which the Chief Officer could designate a civilian employee as an officer carrying out the specified police functions of an investigating officer.

It was noted that the Education and Home Affairs Scrutiny Panel had requested deferral of the draft Law until September 2017, which request was presently awaiting discussion within the Home Affairs team. The Council agreed that it supported the draft Law.

**Draft Drainage (Jersey) Law 2005 (Appointed Day) Act 201- (P.38/2017)**

The Council, having recalled that the draft Act would bring in to force Article 9 of the Law and enable the introduction of drainage/sewerage charges, supported the draft Act.

**Counter-Terrorism and Security Act 2015: extension to Jersey by Order in Council (P.42/2017)**

The Council supported the proposition.

**Draft Counter-Terrorism and Security (Miscellaneous Amendments) (Jersey) Law 201- (P.47/2017)**

The Council supported the draft Law.

**States of Jersey Police Non-Contributory Pension Scheme: payment of widows’ pensions (P.44/2017)**

The Council noted that the proposition would enable the Chief Minister to award a pension to widows of Police Officers who after 31st December 1967 had remained members of the Police Non-Contributory Pension Scheme, taking account of practice existing in regard to the award such pensions as of that date, with payment of such pensions being made from the Consolidated Fund. The Council supported the proposition.

**Draft Income Support (Amendment No. 16) (Jersey) Regulations 201- (P.45/2017)**

The Council, having noted that the draft Regulations would provide for a 2.9 per cent increase across all Income Support components to ensure that all households claiming Income Support would benefit, accordingly supported the draft Regulations.

**Draft Waste Management (Amendment No. 2) (Jersey) Regulations 201- (P.46/2017)**

The Council noted that the draft Regulations would clarify the circumstances in which land could be lawfully used for the purpose of carrying on controlled waste activities. The Council accordingly supported the draft Regulations.

**Jersey Ethical Care Charter (P.48/2017) and Amendments**

The Council noted that the proposition sought the agreement of the States in principle regarding the standards that all providers of domestic care should meet; and that following discussion with the proposer – Deputy G.P. Southern of St. Helier – the Minister for Health and Social Services had agreed to accept the proposition, an amendment by the third amendment.

**Draft Amendment (No. 32) of the Standing Orders of the States of Jersey (P.50/2017)**

The Council noted that the draft Amendment would prevent standing order 30 being relied upon for deferral of a proposition of no confidence in, or censure of, any person or body; that it would also amend standing order 31 to add such a proposition to the list of propositions required to be taken as the first item of public business at a meeting; that it would amend standing order 106 to require declarations of interest to be made where members ask or answer written, as well as oral, questions; and that it would introduce a new standing order 109A to regulate the use of visual aids in the Chamber. The Council recognised that, as an agreed position within the Council was not required, Ministers would therefore have a free vote.

**Draft Armed Forces (Offences and Jurisdiction) (Jersey) Law 201- (P.51/2017)**

The Council noted that the draft Law would make provision for the treatment of British armed forces and those visiting from other countries when they were in Jersey, particularly in relation to discipline and justice. The Council accordingly supported the draft Law.

**Draft Criminal Procedure (Bail) (Jersey) Law 201- (P.52/2017)**

The Council noted that the draft Law would provide the procedural framework for the grant of bail when a defendant appeared before a court in criminal proceedings. The Council accordingly supported the draft Law.

**Draft Control of Housing and Work (Amendment of Law – Annual Charges) (Jersey) Regulations 201- (P.53/2017)**

The Council noted that the draft Regulations would enable fees to be prescribed under the Control of Housing and Work (Jersey) Law 2012, to enable increased investment in migration controls and skills development to support business. The Council accordingly supported the draft Regulations.

**Draft Liquor Licensing (Jersey) Law 201- (P.54/2017) and Amendment**

The Council noted that the draft Law would repeal and replace the Licensing (Jersey) Law 1974 and make provision for the control of the sale and consumption of intoxicating liquor. The Council accordingly supported the draft Law but noted that Senator Bailhache awaited an opportunity to discuss the draft Law with officers of the Economic Development, Tourism, Sport and Culture Department.

**Draft Commissioner for Standards (Jersey) Law 2017 (Appointed Day) Act 201- (P.58/2017)**

The Council noted that the draft Law would provide for the creation of a new role of Commissioner for Standards, who would investigate complaints of alleged breaches of the codes of conduct applying to elected members of the States and Ministers and report accordingly to the Privileges and Procedures Committee. The Council recognised that, as an agreed position within the Council was not required, Ministers would therefore have a free vote.

**Draft Amendment (No. 33) to the Standing Orders of the States of Jersey (P.59/2017)**

The Council, having noted that this item could not be taken into consideration by the

521  
80th Meeting  
12.07.17

States until 19th July 2017, noted that the proposed amendments were consequential to the establishment of the office of Commissioner for Standards under the Commissioner for Standards (Jersey) Law 2017. [*P.58/2017 above refers*)]. The Council recognised that, as an agreed position within the Council was not required, Ministers would therefore have a free vote.