

KS/SC/284

COUNCIL OF MINISTERS

(84th Meeting)

20th September 2017**PART A (Non-exempt)**

All members were present with the exception of Deputy R.G. Bryans of St. Helier, Minister for Education and Senator Sir P.M. Bailhache, Minister for External Relations, from whom apologies had been received.

Senator I.J. Gorst, Chief Minister
 Senator L.J. Farnham, Minister for Economic Development, Tourism, Sport and Culture (in attendance for item B1)
 Deputy S.G. Luce of St. Martin, Minister for the Environment
 Senator A.K.F. Green, M.B.E., Minister for Health and Social Services (in attendance for item B1)
 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 J.M. Refault, Assistant Minister for Treasury and Resources (in attendance for item B1)
 J.D. Richardson, Chief Executive, States of Jersey
 R.J. MacRae, Q.C., H.M. Attorney General
 R. Bell, Treasurer of the States (in attendance for item B1)
 R. Summersgill, Comptroller of Taxes, Treasury and Resources (in attendance for item B1)
 A. Rogers, Director of Financial Planning and Performance, Treasury and Resources Department (in attendance for item B1)
 P. Eastwood, Deputy Comptroller of Taxes – Policy, International and Transformation, Treasury and Resources Department (in attendance for item B1)
 C. Haws, Head of Financial Planning, Treasury and Resources (in attendance for item B1)
 M. Cockerham, Director – Revenue and Immigration, Jersey Customs and Immigration Service (in attendance for item B1)
 G. Boyd, Senior Economist, Chief Minister’s Department (in attendance for item B1)
 K. Nutt, Head of Service, Ministry of External Relations (in attendance for items B2 and B3)
 D. Walwyn, Director, Ministry of External Relations (in attendance for item B2)
 T. Le Feuvre, Head of International Agreements, Ministry of External Relations (in attendance for item B3)
 N. Noble, Senior External Relations Officer, Ministry of External Relations (in attendance for item B3)
 A. Siodlak, External Relations Officer, Ministry of External Relations (in attendance for item B3)

84th Meeting
20.09.17

P. Bradbury, Director - Corporate Policy, Chief Minister's Department
C. Keir, Assistant Director - Ministerial Support and Communications
K.L. Slack, Committee Clerk

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

Welcome. A1. The Council, which had been invited to hold its meeting at the new Police Headquarters on Route du Fort, was welcomed by the Acting Deputy Chief Officer, States of Jersey Police and subsequently received a tour of the building.

Meeting Dates 2018. A2. The Council, with reference to its Minute No. A1 of 13th October 2016, agreed to meet fortnightly during 2018 between 9.30 a.m. and 5.00 p.m. on the following dates –

10 January	4 July
24 January	18 July
7 February	5 September
28 February	19 September
14 March	3 October
28 March	17 October
18 April	14 November
2 May	28 November
13 June	12 December
20 June	

The Council also agreed to meet in order to discuss the Medium Term Financial Plan and the Budget on the following dates –

18 July (p.m.)	18 October (a.m.)
28 September (a.m.)	15 November (a.m.)

It was further agreed that the Council should meet in order to discuss the Strategic priorities on the following dates –

8 February (all day)	20 July (all day)
14 June (a.m. only)	6 September (all day)
21 June (all day)	20 September (all day)
22 June (all day)	21 September (all day)
19 July (all day)	

All meetings were to be held on the 9th Floor, Cyril Le Marquand House, unless advised differently.

States business 26.09.2017 and 10.10.2017. A3. The Council, with reference to its Minute No. A1 of 6th September 2017, discussed with the Director – Corporate Policy, Chief Minister's Department, the list of public business listed for consideration by the States Assembly at its meeting on 26th September 2017 and commented specifically on the following:

26th September 2017

Draft Education (Amendment No. 3) (Jersey) Law 201- (P.56/2017)

The Council recalled that the States Assembly had approved the principles of the draft Amendment on 13th September 2017 and that the Education and Home Affairs Scrutiny Panel had called it in. The Council further recalled that the amendment would modify Part 6 of the Education (Jersey) Law 1999, which contained provisions concerning behaviour and discipline within schools. The Council

supported the draft amendment.

Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States (P.62/2017)

The Council recalled that, as an agreed position within the Council was not required, Ministers would have a free vote on this Proposition.

United Nations Convention on the Rights of the Child: compliance of draft laws and training of States of Jersey employees (P.63/2017)

The Council recalled that H.M. Attorney General considered part (a) of the proposition to be premature, as it sought legislative changes to be made to ensure that any draft laws lodged '*au Greffe*' by Ministers took into account whether such laws would impact upon children's rights, as specified in the Convention, without the States having first considered the desirability of giving the Convention a similar status to the European Convention on Human Rights by incorporating it into legislation.

Draft Act annulling the Motor Traffic (Cabs – Fares and Charges) (Jersey) Order 2017 (P.64/2017)

The Council noted that the Minister for Infrastructure was due to meet with the proposer of the Proposition, Senator S.C. Ferguson, in order to discuss the same.

Draft Asian Infrastructure Investment Bank (Immunities and Privileges) (Jersey) Regulations 201- (P.68/2017)

On the basis that the Minister for External Relations would not be in attendance on 26th September 2017, the Council noted that the Proposition would be deferred to a future meeting of the States.

Draft Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Amendment) (Jersey) Regulations 201- (P.69/2017)

On the basis that the Minister for External Relations would not be in attendance on 26th September 2017, the Council noted that the Proposition would be deferred to a future meeting of the States.

Jersey Financial Services Commission: appointment of Commissioner (P.70/2017)

The Council noted that the Proposition proposed the appointment of Mrs. Annamaria Koerling, a highly qualified wealth management professional, as a Commissioner of the Jersey Financial Services Commission, in accordance with Article 3 of the Financial Services Commission (Jersey) Law 1998, for a period of 5 years from the date of the States debate on the Proposition. The Council supported the Proposition.

Draft Statutory Nuisances (Jersey) Regulations 201- (P.71/2017)

The Council noted that the draft Regulations would make amendments to the list of statutory nuisances, set out in Article 2 of the Statutory Nuisances (Jersey) Law 1999. The amendments would make the feeding of any wild animal, bird, insect, reptile or fish in such a place, or manner, to be prejudicial to health, or to cause a nuisance, a statutory nuisance under that Law. The Council gave its support to the Proposition, which, it noted, was welcomed by members of the public.

States Assembly: selection and appointment of Ministers, Committees and Panels – return to secret ballots (P.73/2017) and Amendment

The Council noted that because an agreed position within the Council was not required, Ministers would have a free vote in respect of this Proposition.

Draft Sea Fisheries (Trawling, Netting and dredging) (Amendment No. 4) (Jersey) Regulations 201- (P.74/2017)

The Council noted that the purpose of the draft Amendment was to protect shallow marine seabed habitats at Les Ecréhous and Les Minquiers from damage caused by dredging and trawling by introducing no mobile gear zones at those locations. This draft Amendment would assist Jersey to meet its obligations under such agreements as the Convention on Biological Diversity, RAMSAR and OSPAR. The Council indicated its support for the draft Amendment.

Warwick Farm: feasibility study for incorporating the site into the St. Helier Country Park (P.75/2017)

The Council noted that the Proposition had been brought by the Connétable of St. Helier and requested the Minister for Infrastructure to defer the proposed lease of Warwick Farm for a period of 6 months, to enable a feasibility study to be undertaken into the potential to incorporate the site into a St. Helier Country Park. In the views of the Department for Infrastructure ('DfI'), the creation of a Country Park would involve significant expenditure and this would need to be prioritised against other major infrastructure investments to be funded under the next MTFP. The Department indicated that the uncertainty generated by the Connétable's Proposition could deter any proposed tenants for the site at an estimated cost of £600,000 over the forthcoming 9 years. The Council decided that a comment should be prepared, to be agreed by the Minister for the Environment, the Minister for Housing and the Assistant Chief Minister, which indicated that the Council did not support the Proposition.

Chief Minister: election by Island-wide vote of registered electors (P.78/2017).

The Council noted that because an agreed position within the Council was not required, Ministers would have a free vote in respect of this Proposition.

The Council noted the following items of public business scheduled for the 10th October 2017:

10th October 2017

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

Draft Road Traffic (No. 63) (Jersey) Regulations 201- (P.67/2017).

States Employment Board: living wage 2017 (P.72/2017).

Draft Air and Sea Ports (Incorporation) (Transfer No.2) (Jersey) Regulations 201- (P.77/2017).