

23.11.07

8 Deputy S.Y. Mézec of the Chief Minister regarding the Code of Conduct and Practice for Ministers (OQ.223/2023)

Will the Chief Minister explain what advice she considered, if any, regarding the Code of Conduct and Practice for Ministers and Assistant Ministers before making public comments about the Assistant Minister for the Environment's decision to reject the planning application for Les Sablons?

Deputy K.L. Moore (The Chief Minister):

As a matter of course, I always seek to ensure that I act in accordance with the Code of Conduct and my officials similarly would advise me if they felt that I was going to take any action which might be in breach of that code. In making my comments on the Les Sablons application and its decision, I do not consider that I have breached the Code of Conduct and Practice and I did not receive advice to the contrary.

2.8.1 Deputy S.Y. Mézec:

We heard from the Minister for the Environment previously explain his full support for the process that was adopted by the Assistant Minister for the Environment in reaching her decision and expressed in very strong terms his full confidence in the Assistant Minister and that process. Does the Chief Minister share the views of the Minister for the Environment?

Deputy K.L. Moore:

I think it is quite clear that I was disappointed by that decision. As the leader of this Government, my job is to ensure that the team that operates within Government, because we are a team, that the team takes decisions and uses its judgment that share the priorities of the entire Government. At the beginning of this process, we went through a process of agreeing our priorities for this Government. They are very clear, they could not be clearer. We have repeated our relentless focus. We have taken decisions and actions that deliver upon those priorities and at the very centre of which is housing. I cannot make it clearer that housing is at the root of so many issues and it is to the public's wish and expectation of this Government that we will take decisions that deliver housing, that deliver supply, that deliver a greater level of owner occupation for Islanders. That is what Islanders expect from us, that is our commitment to Islanders, and as the leader of this Government it is my job to ensure that the team takes decisions that deliver on those priorities.

[10:45]

2.8.2 Deputy R.J. Ward:

I thank the Chief Minister for that answer. Would the Chief Minister like to show the same level of commitment that the Minister for the Environment did to the Assistant Minister who was given the duty of making this decision publicly?

Deputy K.L. Moore:

I am grateful to the Deputy for the thoughtful question. Of course, we all recognise that taking a difficult decision is a burden. We recognise and respect that but as the leader of the Government, it is my job to ensure that those decisions are taken in pursuit of the priorities of my Government.

2.8.3 Deputy R.J. Ward:

I do not quite know how to follow that one up because that was a wonderfully political answer. I would say to the Chief Minister, well done because ... let me ask again: will the Chief Minister commit, in the same way that the Minister for the Environment has, to supporting the Assistant Minister who is left with a difficult job, regardless of the outcome, and confirm that the Chief Minister believes that the process was valid, undertaken effectively with all the words that were used by her Minister for the Environment?

Deputy K.L. Moore:

The Minister for the Environment very helpfully set out and reminded Members of the current position of this application. Therefore, I think, that we just have to remind ourselves and reflect on the very clear answer that he gave about the live nature of that. I am not going to talk about the process that has led to this decision.

2.8.4 Deputy G.P. Southern:

The Chief Minister talked about priorities and shared priorities but surely not at any cost. Is it not the case that the Chief Minister did not, in fact, seek any advice over this issue?

Deputy K.L. Moore:

I am slightly perplexed by the question. I think that there were 2 there. I will speak first, I think, to the first part of question, which was ... and I would like to answer that question in the round in terms of decisions being taken, of course, not at any cost, and that is where judgment comes in of course. But it is our strategy, clearly held and clearly identified as the priorities of the Government, to particularly focus on the 7 elements that were set out in our common strategic priorities and, in particular, our 3 areas of relentless focus, which are housing, the cost of living, and recruitment and retention.

Deputy G.P. Southern:

The second part of the question, Sir?

The Deputy Bailiff:

Yes, so you were asked about whether or not you took advice. It was put to you that you did not take any advice. That was the second part of the question, was it not?

Deputy K.L. Moore:

I did receive advice and I discussed my comments prior to releasing them.

2.8.5 Deputy P.M. Bailhache of St. Clement:

Would the Chief Minister agree that whatever the disappointments that might have been felt and whatever the policies and priorities of the Government might be, the independence and integrity of our planning appeal system is of vital importance and should not be undermined?

Deputy K.L. Moore:

We have a process, that process needs to be seen to be operating and I absolutely respect that. However, I do believe that ... and we can relate this to the code of conduct if we so wish, which reminds us of the Nolan principles. One of those Nolan principles is leadership and I think that I am perfectly within my rights to express an opinion - simply an opinion - as we look forward to what is going to happen next when we consider a decision that has been made. The public look to their

leaders often for their views on many matters, and this is simply one of those. We also have to show leadership in terms of how we are going to deliver on our priorities into the future.

2.8.6 Deputy P.M. Bailhache:

I did not ask the Chief Minister whether she should show leadership. She is perfectly entitled to do that. I asked her whether she agreed that the independence and integrity of the planning appeal system should not be undermined.

Deputy K.L. Moore:

I believe that I had referred to that part of the question and I respect the process. That was my answer previously and that remains my answer. I do not believe that my comments undermine that in any way. It was a matter of looking forwards and not backwards.

2.8.7 Deputy S.Y. Mézec:

I think I will be sending some of those answers to the chair of P.P.C. to help inform her training schedule. Can the Chief Minister explain - and I think this can be done with a yes or no - whether she agrees or not with the comments of her Minister for the Environment, which were to express his full confidence, not only in the process but in the conduct of the Assistant Minister. He has been very clear about his position. Will she be clear about hers and say whether it is aligned or not aligned with her Minister for the Environment?

Deputy K.L. Moore:

I do believe I have already answered those questions.