

STATES OF JERSEY

OFFICIAL REPORT

THURSDAY, 24th SEPTEMBER 2009

PUBLIC BUSINESS – resumption	5
1. Connétable J. Gallichan of St. Mary (Chairman, Privileges and Procedures Committee):	5
1.1 Deputy M.R. Higgins of St. Helier:.....	6
1.2 Connétable G.F. Butcher of St. John:.....	6
1.3 Deputy P.J. Rondel of St. John:	6
2. Draft Annual Business Plan 2010 (P.117/2009): eleventh amendment (P.117/2009 Amd.(11)) continued	8
Senator S. Syvret:	8
Senator T.A. Le Sueur:	9
Senator J.L. Perchard:.....	10
2.1 Deputy T.M. Pitman:	11
3. Draft Annual Business Plan 2010 (P.117/2009): third amendment (P.117/2009 Amd.(3)) (paragraph 1).....	14
3.1 Senator B.E. Shenton:.....	14
3.1.1 Senator P.F. Routier:	15
3.1.2 Deputy A.K.F. Green of St. Helier:.....	16
3.1.3 Senator J.L. Perchard:.....	16
3.1.4 Deputy T.M. Pitman:	17
3.1.5 Deputy M. Tadier of St. Brelade:.....	17
3.1.6 Deputy A.E. Pryke of Trinity:.....	18
3.1.7 Senator S.C. Ferguson:	19
3.1.8 The Deputy of St. Mary:	19
3.1.9 Deputy I.J. Gorst of St. Clement:	20
3.1.10 Senator P.F.C. Ozouf:	20
3.1.11 Deputy A.E. Jeune of St. Brelade:	20
3.1.12 Senator B.E. Shenton:	21
4. Draft Annual Business Plan 2010 (P.117/2009): nineteenth amendment (P.117/2009 Amd.(19)).....	22
4.1 Senator T.A. Le Sueur (The Chief Minister):	23
4.1.1 The Deputy of Trinity:.....	24
4.1.2 Deputy D.J. De Sousa St. Helier:	26
4.1.3 The Deputy of St. Mary:	26
4.1.4 Deputy A.K.F. Green:.....	27
4.1.5 Senator B.E. Shenton:.....	28
4.1.6 Senator P.F.C. Ozouf:.....	28
4.1.7 Deputy F.J. Hill of St. Martin:	29
4.1.8 Deputy P.V.F. Le Claire of St. Helier:	29
4.1.9 Senator P.F. Routier:	30

4.1.10	Deputy G.P. Southern of St. Helier:.....	30
4.1.11	Senator J.L. Perchard:	31
4.1.12	Deputy A.E. Jeune:	31
4.1.13	Deputy I.J. Gorst:.....	31
4.1.14	Deputy E.J. Noel of St. Lawrence:	32
4.1.15	Senator S. Syvret:.....	33
4.1.16	Senator T.A. Le Sueur:.....	34
5.	Draft Annual Business Plan 2010 (P.117/2009): tenth amendment (P.117/2009 Amd.(10)).....	36
5.1	Deputy S. Pitman:.....	36
5.1.1	Connétable P.F.M. Hanning of St. Saviour:	37
5.1.2	The Connétable of St. John:	38
5.1.3	Senator S.C. Ferguson:	38
5.1.4	Connétable D.J. Murphy of Grouville:	38
5.1.5	Deputy C.F. Labey of Grouville:.....	38
5.1.6	Deputy M. Tadier:	38
5.1.7	Deputy J.A.N. Le Fondré of St. Lawrence:	40
5.1.8	Deputy G.P. Southern:.....	41
5.1.9	Deputy A.T. Dupre of St. Clement:.....	41
5.1.10	Senator B.E. Shenton:	41
5.1.11	Deputy T.M. Pitman:.....	41
5.1.12	Deputy J.B. Fox of St. Helier:	43
5.1.13	Deputy E.J. Noel:.....	43
5.1.14	Connétable J.M. Refault of St. Peter:.....	43
5.1.15	Senator S. Syvret:.....	44
5.1.16	Senator T.J. Le Main:.....	44
5.1.17	The Connétable of St. Mary:	45
5.1.18	Senator P.F.C. Ozouf:	46
	The Deputy of St. John:	46
5.1.19	Deputy S. Pitman:	47
6.	Draft Annual Business Plan 2010 (P.117/2009): seventeenth amendment (P.117/2009 Amd.(17)) (paragraph 6).....	48
6.1	The Deputy of St. Mary:.....	48
	LUNCHEON ADJOURNMENT PROPOSED.....	50
	LUNCHEON ADJOURNMENT.....	50
	The Deputy of St. Mary:	51
6.1.1	Deputy C.H. Egré of St. Peter:.....	53
6.1.2	Deputy P.V.F. Le Claire:	54
6.1.3	Senator P.F.C. Ozouf:.....	56
6.1.4	Deputy J.A.N. Le Fondré:.....	57
6.1.5	Senator A. Breckon:	57
6.1.6	Deputy R.C. Duhamel of St. Saviour:	58
6.1.7	Deputy R.G. Le Hérissier:	59
6.1.8	The Deputy of St. John:	60
6.1.9	Deputy G.P. Southern:.....	61
6.1.10	Deputy M. Tadier:.....	61
6.1.11	Deputy T.M. Pitman:.....	62
7.	Draft Annual Business Plan 2010 (P.117/2009) - paragraph (b) - as amended.....	64

7.1	Deputy D.J. De Sousa:.....	65
7.2	Deputy G.P. Southern:.....	65
7.3	Deputy T.M. Pitman:.....	65
7.4	The Deputy of St. Mary:.....	65
7.5	Deputy P.V.F. Le Claire:.....	65
7.6	Deputy M. Tadier:.....	67
7.7	Senator A. Breckon:.....	68
7.8	Deputy A.E. Jeune:.....	68
7.9	Senator P.F.C. Ozouf:.....	68
8.	Draft Annual Business Plan 2010 (P.117/2009) - paragraph (c).....	70
8.1	Senator P.F.C. Ozouf (The Minister for Treasury and Resources):.....	70
9.	Draft Annual Business Plan 2010 (P.117/2009) fifth amendment (P.117/2009 Amd.(5)) (paragraph 1)	70
9.1	The Deputy of Grouville:.....	71
9.1.1	The Connétable of St. Brelade:.....	73
9.1.2	The Connétable of Grouville:.....	73
9.1.3	Deputy P.V.F. Le Claire:.....	73
9.1.4	Deputy T.M. Pitman:.....	75
9.1.5	Senator T.J. Le Main:.....	75
9.1.6	The Connétable of St. Saviour:.....	76
9.1.7	Deputy D.J. De Sousa:.....	76
9.1.8	Senator P.F.C. Ozouf:.....	77
9.1.9	Deputy T.A. Vallois of St. Saviour:.....	77
9.1.10	Deputy A.T. Dupre:.....	78
9.1.11	Deputy J.B. Fox:.....	78
9.1.12	Senator J.L. Perchard:.....	78
9.1.13	The Deputy of St. Martin:.....	78
9.1.14	The Deputy of St. Mary:.....	79
9.1.15	Senator T.A. Le Sueur:.....	80
9.1.16	Deputy K.C. Lewis of St. Saviour:.....	80
9.1.17	Deputy M. Tadier:.....	81
9.1.18	Connétable A.S. Crowcroft of St. Helier:.....	81
9.1.19	Senator A.J.H. Maclean:.....	81
9.1.20	Deputy A.E. Jeune:.....	82
9.1.21	Deputy S. Power of St. Brelade:.....	82
9.1.22	The Connétable of St. Mary:.....	82
9.1.23	Deputy I.J. Gorst:.....	83
9.1.24	Connétable D.W. Mezbourian of St. Lawrence:.....	83
9.1.25	The Very Reverend R.F. Key, B.A., The Dean of Jersey:.....	83
9.1.26	The Deputy of Grouville:.....	83
10.	Draft Annual Business Plan 2010 (P.117/2009) - paragraph (c) as amended.....	85
11.	Draft Annual Business Plan 2010 (P.117/2009) - paragraph (d)	86
11.1	Senator P.F.C. Ozouf (The Minister for Treasury and Resources):.....	86
12.	Draft Annual Business Plan 2010 (P.117/2009) seventh amendment (P.117/2009 Amd. (7)).....	87
12.1	The Connétable of St. Helier:.....	87
12.1.1	Senator P.F.C. Ozouf:.....	88
13.	Draft Annual Business Plan 2010 (P.117/2009) amendment	88

13.1 Deputy G.P. Southern:.....	89
Deputy S. Pitman:.....	91
13.1.1 Senator P.F.C. Ozouf:	91
13.1.2 Deputy A.K.F. Green:	94
13.1.3 Deputy S. Pitman:	94
13.1.4 Deputy D.J. De Sousa:	95
13.1.5 The Connétable of St. Helier:	95
13.1.6 The Connétable of St. John:	97
13.1.7 Senator B.I. Le Marquand:	97
13.1.8 Deputy J.B. Fox:	97
13.1.9 Deputy P.V.F. Le Claire:.....	98
13.1.10 Deputy M. Tadier:	100
13.1.11 Deputy R.C. Duhamel:.....	101

ADJOURNMENT.....	106
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The Roll was called and the Dean led the Assembly in Prayer.

PUBLIC BUSINESS – resumption

The Greffier of the States (in the Chair):

Perhaps I could just advise Members from the Chair that as part of the States Greffe business continuity plans with a view to matters such as pandemic flu, we have asked a number of our staff to take a turn sitting in the Chamber today to familiarise themselves. If the “Catch it, Bin it” or whatever it is, Madam Minister, did not quite work for us, I am sure Members will understand that various staff are coming and going. Secondly, it was agreed that the Chairman of P.P.C. (Privileges and Procedures Committee) would just give some initial thoughts on the matter of the continuity of this debate. Chairman.

1. Connétable J. Gallichan of St. Mary (Chairman, Privileges and Procedures Committee):

The Assembly had set aside 4 complete, clear days for this debate and I would have hoped that it could have been finished within that timescale. There is, as Members will well know, always a risk that debates can expand to fill the time available. Of course, this is a very important debate and as Chairman of P.P.C. I would not wish to suggest that it should be hurried. But I would urge Members to put across their arguments in as concise a manner as possible. **[Approbation]** On that point, and as less is quite often more, I would simply refer Members to Standing Order 104 which, among other things, requires that a speech by a Member of the States must be relevant to the business being discussed and that a Member of the States must not unduly repeat his or her own arguments with the arguments of others. I fear that once the barrier of going into another week is broken, and having spent some considerable time last night trying to gauge the likely length of debate on the remaining business, it is possible that we could well be sitting not only on Monday and Tuesday but possibly on Wednesday as well. For that reason, as a first step, I would ask Members to consider restricting the lunch hour today and tomorrow to one hour - from 1.00 p.m. to 2.00 p.m. - and to agree to work on until 6.30 p.m. or perhaps even 7.00 p.m. in the evening. There is also a precedent for agreeing to start tomorrow's sitting at 8.30 a.m. When this was done during the 2003 Budget debate, a surprising amount of business was covered during that day. If after these measures, if agreed, the debate is still not concluded by tomorrow evening, we will obviously have to agree either a continuation day or to carry over items to the next sitting. As the whole of this week was set aside for States business, I am aware that many Members have a heavy schedule of meetings for next week and there are a number of important Scrutiny meetings and all States Members' briefings scheduled for Monday and Tuesday, including, I understand, an Economic Affairs Panel Hearing on Monday with an adviser who has come over from Canada especially. It is fair to say then that a great deal of disruption would be caused by meeting next week. It would be possible to take the remaining Business Plan business at the next sitting on 6th October but doing this would require the Assembly to do 2 things. Firstly, to take a conscious decision to finish the Annual Business Plan in October and not in September, as the Public Finances Law says that the Business Plan must be lodged in time for it to be debated and approved by the States at least 3 months before the start of that financial year or such other period as the States may decide. I believe that a simple decision to defer to the first sitting in October would fulfil that requirement. The second point, as a result of the Business Plan debate is required, of course, in order for the Treasury to finalise work on the budget, I believe that the whole budget process would need to be pushed back by one week as well. Therefore, the States would need to agree to meet on 15th December for the budget debate. I would ask Members to reflect on these options. For now, I would propose a one-hour lunch adjournment for the remainder of this week and that the Assembly sits until 6.30 p.m. tonight. At the close of business I suggest that we review how far we have got and make the decision about the start and finishing time tomorrow and about how to proceed thereafter. Thank you.

The Greffier of the States (in the Chair):

We do not wish to waste too much time on this but we obviously need to take the important points.
Deputy Higgins.

1.1 Deputy M.R. Higgins of St. Helier:

I just want to emphasise that the Economic Affairs Scrutiny Panel is not only meeting on Monday with a hearing with our adviser, we have also brought Oxera to the Island and we are meeting them during the lunchtime tomorrow and tomorrow evening. We have other meetings scheduled as well and if the States does continue using this time period which we have set aside for this critical phase of our review in order for us to complete our work to bring it back to the States on 20th October, we will not make 20th October to report back to you. That will mean that debate will have to go back 2 weeks, so I would hope Members will realise we are at a critical phase, we want to meet the timescales, but if the States carries on, we will not be able to. Thank you.

1.2 Connétable G.F. Butcher of St. John:

Can I just make a short comment, something the chairman of P.P.C. has not mentioned? I wonder if Members, in view of the timeframe that we have in front of us at the moment, when an amendment has been agreed by the Council of Ministers that we do not need to make long speeches on something that has already been agreed.

The Greffier of the States (in the Chair):

She did address that point, Constable. She did urge Members to keep to the point and keep relevant. The Deputy of St. John.

1.3 Deputy P.J. Rondel of St. John:

I appreciate where the P.P.C. chairman is coming from but in my case I have prior engagements at 6.00 p.m. this evening and other Members may be the same. She was supposed to come back with a plan, not immediately to be effective from this evening. I will have to leave here at 5.30 p.m. at the latest [**Approbation**] because that is the procedure that we put in place: in these long debates we finish at 5.30 p.m.

The Greffier of the States (in the Chair):

Well there are 2 matters the chairman has proposed I think need to be decided immediately because they do affect today's sitting; let us take them one at a time. Chairman, you had proposed that lunch should be restricted, notwithstanding the comments - that the Members will have heard - of the chairman of the Economic Affairs Scrutiny Panel. That related to tomorrow, chairman?

Deputy M.R. Higgins:

Tomorrow is the hearing with Oxera but we still have meetings today relating to that meeting tomorrow.

The Greffier of the States (in the Chair):

So you are proposing, chairman, the lunch break today is restricted to one hour from 1.00 p.m. to 2.00 p.m.?

The Connétable of St. Mary:

Yes.

The Greffier of the States (in the Chair):

Is that seconded? [**Seconded**] Those in favour of restricting the lunch hour to one hour kindly show? Unfortunately, we need the appel. The one-hour lunch hour is proposed. The Greffier will open the voting.

POUR: 37		CONTRE: 10		ABSTAIN: 0
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Senator S. Syvret		Senator P.F.C. Ozouf		
Senator T.A. Le Sueur		Senator A.J.D. Maclean		
Senator P.F. Routier		Senator B.I. Le Marquand		
Senator T.J. Le Main		Connétable of St. John		
Senator B.E. Shenton		Connétable of St. Peter		
Senator J.L. Perchard		Deputy S. Pitman (H)		
Senator A. Breckon		Deputy of St. John		
Senator S.C. Ferguson		Deputy of St. Mary		
Connétable of Trinity		Deputy M.R. Higgins (H)		
Connétable of Grouville		Deputy J.M. Maçon (S)		
Connétable of St. Brelade				
Connétable of St. Saviour				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Mary				
Deputy R.C. Duhamel (S)				
Deputy of St. Martin				
Deputy R.G. Le Hérisier (S)				
Deputy J.B. Fox (H)				
Deputy G.P. Southern (H)				
Deputy of St. Ouen				
Deputy of Grouville				
Deputy of St. Peter				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy S.S.P.A. Power (B)				
Deputy K.C. Lewis (S)				
Deputy I.J. Gorst (C)				
Deputy M. Tadier (B)				
Deputy A.E. Jeune (B)				
Deputy T.M. Pitman (H)				
Deputy A.T. Dupré (C)				
Deputy E.J. Noel (L)				
Deputy T.A. Vallois (S)				
Deputy A.K.F. Green (H)				
Deputy D. De Sousa (H)				

The Greffier of the States (in the Chair):

Secondly, chairman, you wish to propose the Assembly sits until 6.30 p.m. this evening.

The Connétable of St. Mary:

That is correct.

The Greffier of the States (in the Chair):

Is that seconded? [**Seconded**] The appel is called for. I ask the Greffier to open the voting. I ask the Greffier to close the voting. That proposition is equally adopted: 34 votes were cast in favour, 13 votes against.

POUR: 34		CONTRE: 13		ABSTAIN: 0
Senator S. Syvret		Senator A.J.D. Maclean		
Senator T.A. Le Sueur		Connétable of Grouville		
Senator P.F. Routier		Connétable of St. John		

Senator P.F.C. Ozouf		Connétable of St. Peter		
Senator T.J. Le Main		Deputy R.G. Le Hérisier (S)		
Senator B.E. Shenton		Deputy of Grouville		
Senator J.L. Perchard		Deputy of St. Peter		
Senator A. Breckon		Deputy of Trinity		
Senator S.C. Ferguson		Deputy S. Pitman (H)		
Senator B.I. Le Marquand		Deputy I.J. Gorst (C)		
Connétable of Trinity		Deputy of St. John		
Connétable of St. Brelade		Deputy M. Tadier (B)		
Connétable of St. Saviour		Deputy M.R. Higgins (H)		
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Mary				
Deputy R.C. Duhamel (S)				
Deputy of St. Martin				
Deputy J.B. Fox (H)				
Deputy G.P. Southern (H)				
Deputy of St. Ouen				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy S.S.P.A. Power (B)				
Deputy K.C. Lewis (S)				
Deputy A.E. Jeune (B)				
Deputy of St. Mary				
Deputy T.M. Pitman (H)				
Deputy A.T. Dupré (C)				
Deputy E.J. Noel (L)				
Deputy T.A. Vallois (S)				
Deputy A.K.F. Green (H)				
Deputy D. De Sousa (H)				
Deputy J.M. Maçon (S)				

The Greffier of the States (in the Chair):

As you say, chairman, the other matters can be addressed at the end of this afternoon's sitting.

2. Draft Annual Business Plan 2010 (P.117/2009): eleventh amendment (P.117/2009 Amd.(11)) continued

The Greffier of the States (in the Chair):

The debate now resumes on the amendment of Deputy Trevor Pitman to the Business Plan.

Senator S. Syvret:

Just a point of order.

The Greffier of the States (in the Chair):

You have already spoken, Senator.

Senator S. Syvret:

I am aware of that but there was some question yesterday evening about the information I provided to the Assembly in my speech. I just wanted to inform Members that I have in fact emailed a good deal of material around last night. I am more than happy to answer any questions to clarify any points that I made in my speech.

The Greffier of the States (in the Chair):

It is not Question Time, Senator.

Senator S. Syvret:

Members may wish to question me; I am just indicating that I am entirely happy to do so. I also indicated last night in an email that I would distribute today some further evidence which showed the Chief Executive to the States of Jersey to be a liar. **[Members: Oh!]** That is now emailed to all Members and it can be found on their email system now.

The Greffier of the States (in the Chair):

Chief Minister, you have also spoken.

Senator T.A. Le Sueur:

I have also spoken but I did, yesterday in the States, ask the Senator - who made, I believe, comments in his privileged position - to substantiate allegations of improper conduct relating to States employees. I asked for evidence of that and so far I have seen nothing which I would consider as evidence of those allegations. I have a duty ...

The Greffier of the States (in the Chair):

Is this a speech, Chief Minister, or is it ...?

Senator T.A. Le Sueur:

No, I believe that in failing to produce that evidence, the Senator has made an unfair slur against States employees, employees who are unable to defend themselves in this House. **[Approbation]** They cannot speak here but I can speak on their behalf. In view of the fact that the Senator has been unable to substantiate the allegations, I call upon him formally to withdraw the allegations until such time as he can give evidence to genuinely substantiate them. It is not fair to our employees that they should have allegations like this hanging over them maybe for days, weeks or months, never substantiated and I do urge the Senator to withdraw them now in the interests of treating our employees fairly and in the interests of natural justice.

The Greffier of the States (in the Chair):

You have asked a simple question that requires a yes or no answer from the Senator. Senator, I simply require a yes or no from you, are you prepared to withdraw the allegations?

Senator S. Syvret:

The Chief Minister made assertions in his remarks just then to the effect that I have provided no evidence. I have, in fact, provided evidence and I am not prepared to withdraw ...

The Greffier of the States (in the Chair):

Senator, are you prepared to withdraw the allegations or not?

Senator S. Syvret:

I am not prepared to withdraw one word of what I said because it is all true and it is demonstrably true.

The Greffier of the States (in the Chair):

Very well, thank you, Senator. Please resume your seat, we are in the middle of a debate on an amendment of Deputy Trevor Pitman to paragraph (b) of the Business Plan.

Deputy T.M. Pitman of St. Helier:

Could I ask you for clarification then of where we are?

The Greffier of the States (in the Chair):

Late yesterday afternoon Senator Syvret gave his views on the Communications Unit and made certain assertions. He was asked to produce evidence he had and, as he said, he has emailed all Members 3 times overnight with a number of documents and explained that other material he has is not currently available in Jersey. It is entirely a matter of political judgment for Members to decide whether or not they are satisfied the documents provided substantiate the assertions made by the Senator. This is not the time or the forum to adjudicate on whether or not Members consider that Senator Syvret may have abused **[Approbation]** that vital privilege of freedom of expression that he and other Members enjoy in this Assembly. If any Member wishes the matter to be investigated further by P.P.C. or another body, that is a matter for another time and we must proceed with this debate. I am not prepared to allow the normal rules of debate to be further set aside and pursue the issue and I wonder if any other Member wishes to speak on the amendment.

Senator J.L. Perchard:

Yesterday I gave notice of my intention to propose closure. The half hour has transpired and I would like to, as is my right, propose the closure of this debate on the amendment.

The Greffier of the States (in the Chair):

Yes, just checking the time, Senator. The Deputy Greffier assures me that the correct notice was given; you are entitled to propose that. Is the proposal seconded? **[Seconded]**

Deputy D.J.A. Wimberley of St. Mary:

Can I ask how many people wish to speak?

The Greffier of the States (in the Chair):

None on the Bailiff's list at the moment. Very well, I do not believe it is, at this stage of the debate, an abuse of the procedure, therefore the proposal is in order. The vote is therefore for or against the proposal of Senator Perchard that the debate be closed and Deputy Pitman invited to sum-up before the vote. The Greffier will open the voting. If all Members who wish to do so have cast their votes. The Greffier will close the voting. The closure motion is adopted 32 votes in favour, 15 votes against and

Senator S. Syvret:

Could we have the 15 against please?

The Deputy Greffier of the States:

The 15 Members voting against: Senators Syvret, Le Sueur, Breckon, Ferguson and Maclean; the Connétable of St. Lawrence; Deputies Fox, Southern, Grouville, Gorst, Tadier, T. Pitman, Vallois, Higgins and Green.

POUR: 32		CONTRE: 15		ABSTAIN: 0
Senator P.F. Routier		Senator S. Syvret		
Senator P.F.C. Ozouf		Senator T.A. Le Sueur		
Senator T.J. Le Main		Senator A. Breckon		
Senator B.E. Shenton		Senator S.C. Ferguson		
Senator J.L. Perchard		Senator A.J.D. Maclean		
Senator B.I. Le Marquand		Connétable of St. Lawrence		
Connétable of Trinity		Deputy J.B. Fox (H)		
Connétable of Grouville		Deputy G.P. Southern (H)		
Connétable of St. Brelade		Deputy of Grouville		
Connétable of St. John		Deputy I.J. Gorst (C)		
Connétable of St. Saviour		Deputy M. Tadier (B)		
Connétable of St. Clement		Deputy T.M. Pitman (H)		
Connétable of St. Peter		Deputy T.A. Vallois (S)		
Connétable of St. Mary		Deputy M.R. Higgins (H)		

Deputy R.C. Duhamel (S)		Deputy A.K.F. Green (H)		
Deputy of St. Martin				
Deputy R.G. Le Hérisssier (S)				
Deputy of St. Ouen				
Deputy of St. Peter				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy S.S.P.A. Power (B)				
Deputy S. Pitman (H)				
Deputy K.C. Lewis (S)				
Deputy of St. John				
Deputy A.E. Jeune (B)				
Deputy of St. Mary				
Deputy A.T. Dupré (C)				
Deputy E.J. Noel (L)				
Deputy D. De Sousa (H)				
Deputy J.M. Maçon (S)				

The Greffier of the States (in the Chair):

Accordingly I call upon Deputy Trevor Pitman to reply.

2.1 Deputy T.M. Pitman:

I was only going to offer - and it is not ideal for me in the light of the confusion, and I do not know the procedure - if we could have just deferred this so whatever evidence is coming forward from the Chief Minister or Senator Syvret could be presented. It is not good for me but I was happy to do that if it was possible.

The Greffier of the States (in the Chair):

I do not think it can be deferred, Deputy, because we are in the middle of an amendment to this paragraph. You could seek leave to withdraw it completely but I do not think we can defer, unfortunately.

Deputy T.M. Pitman:

That is all I wish to know, thank you. I thank the Member but I do not think I should withdraw it; we have come this far, let us get on with it. I would like to say that I thank almost every Member who spoke indeed. **[Laughter]** However, I am not going to respond to what Senator Le Main said other than to thank the 31 people who, I have to say, contacted me last night to express their disgust at the behaviour and the interruptions and I will say no more. Senator Le Sueur, the Chief Minister, talked about the efficiency of what he saw is the Communications Unit and the importance of it and linked this to their mandated role. I had no problem with any of that. I would agree with him on many of the issues; I just wished he would have talked about some of the problems now but that is his call, so thank you for that. Senator Shenton, he said that he did not even know what the Communications Unit did, which was interesting. Perhaps that explains why he was only a Minister for 18 months, I do not know. He also raised the very pertinent issue of how many people will vote to keep the Communications Unit in this form and will vote against very important calls for funding for respite care, so a very good point; something to keep in mind. Deputy De Sousa felt she could not agree with me on my kind remarks to the Treasury Minister's speech. She thought the Communications Unit is there for spin and was a waste of taxpayers' money. The Deputy of St. Mary, again, he raised some very good points. I do not think he was quite sure which way he was going to vote but he recognised the need for communication. He did really put his finger on a lot of the problems which I will not go through in detail: the form design; the fact that they only work for

the Council of Ministers. He did raise an interesting issue that it would be nice to have a breakdown of the percentage of what they do and who they do it for. He really used the example of Imagine Jersey and the damage that he said had been done with the way that unfolded. Senator Ferguson made some very good points. She highlighted the very different and the excellent role of Scrutiny and the officers, and the way they deliver their press releases and evidence. Although I have different political views to Senator Ferguson, I think we have a good enough relationship to tell her that I often wished she would sit down and stop speaking when she is giving her take on global warming, which I obviously differ with, but on this occasion I wish she had carried on talking. Because my experience of Scrutiny, not just our own officers, Sam and Liz, but all of the Scrutiny Officers, the way they deliver their work, put across just fact, evidence, completely unadorned, I think is absolutely brilliant. **[Approbation]** It really highlighted for me the concerns I am getting at, as I felt if the Communications Unit, whether it continues, if that is the approach that can be taken, then it would be all so much for the better. The Senator also talked about subliminal messaging but I do not think I am qualified to go into that in detail, or the capabilities of Mr. Ingram and Mr. Campbell, so I will not go on to that. Deputy Noel, he felt that he could not support the proposition, that the work could not be absorbed within Ministers, their Assistants and officers. He drew attention to my statement about this within my report. Interestingly, he also mentions the good work done with swine flu. If he had looked further up the page he would have seen that I do use that as an example of the good work that Communications Unit do, so I agree with him there. Deputy Maçon, he viewed the Communications Unit as just “nice to have” and something we could do without in these tight economic times and he was going to support the proposition as well, so I welcome him for that. Deputy Southern, when Deputy Southern, my colleague stood up to speak, I did wonder for a moment whether he had too much sun last week on his holiday because he seemed to be saying that Senator Le Main was his inspiration for staying in politics, so he did momentarily throw me. But after that he went back to his usual incisive manner and talked about the need for the Communications Unit and Ministers, all of us, to put across the real facts; not just selected bits to show things in their best light and he was going to support the motion too. The Deputy of St. John, he paid real tribute to the Home Affairs Minister and the way he tells it how it is and linked this to how the Communications Unit should operate. He also was going to support the proposition. He spoke about how he felt we no longer had investigative journalism as he felt we had when he first came into the House. He also made the point that we pay our civil servants “top dollar”, to use his words, and the Ministers’ departments should be able to do much of the reports and work, *et cetera*, undertaken by the Communications Unit themselves, so I thank him for his input. Deputy Tadier spoke first about he felt we did not perhaps need the Communications Unit to represent and advertise the Island or communicate overseas, and raised the issue of perhaps whether it should be focused locally. He asked the question: “Who does the Communications Unit represent?” A very valid question, I believe. Deputy Tadier also raised the issue of the Historic Abuse Inquiry saying with such an important issue he would have really expected an absolute top job with advice to Ministers in a very difficult situation. He felt that the Council of Ministers at the time - obviously the previous one - had been made to look stupid and he highlighted the press conference. He asked for confirmation that the Communications Unit were involved in that, which I think was given later by Senator Syvret. He closed by saying that maybe it was time to disband and have a rethink, and it is probably one of the lines I am suggesting, really. Senator Ozouf, again, I have absolutely no problem with Senator Ozouf’s comments other than one point which I will come to later. He talked about individuals and I think I touched on that in my speech. In answer to Deputy Tadier, he highlighted what he felt were clear differences between the need to have representation abroad; he talked about Financial Services. He highlighted the difference saying that we do not have in place a full-party political system yet, so there were some differences there and could not be really compared. He made the observation that what we all put around sometimes has an element of spin and that is, of course, fair comment from the Senator; I would not disagree with him. What I would disagree with him, and I think, again, Senator Syvret highlighted this, is whatever a Back-Bencher may put out and whether subliminal leanings creep

into it, none of us do that with taxpayers' money, so I think that is a very important issue to acknowledge. As I say, I have no problem with any of the Senator's comments; I welcome them. He did say that he felt I cast aspersions on the members of the Communications Unit and I have to say that that is not the fact. I have criticised the work they do but it is certainly not a personal attack on any of them and if anyone took it that way, then I am happy to clarify that, but it is certainly not the case. My problem is the way that some of the work has been delivered. The Deputy of Trinity talked about the Communications Unit being vital, highlighting the flu pandemic, again, something I touched on in my report. She said it would have been impossible without their input. I would have liked her to say about how Health managed before the Communications Unit; how they coped then and was it Health Officers who put the message across? Senator Syvret was next. He started by referring to Senator Le Main's speech, pointing out that patriotism is the last refuge of the scoundrel. I was going to talk about that but I was glad that the Senator did because I could not remember who said it but Senator Syvret obviously has a bigger book of quotes than I have. **[Interruption]** Yes, he probably phoned Deputy Le Hérissier, so true. The Senator also talked about his concerns about manufacturing consensus within the Island and manipulating people to think a certain way. He used the example of Imagine Jersey to say how opinions were manipulated by leading them in a direction that they could almost only come to one conclusion. He asked the very relevant point whether taxpayers' money was being used for the benefit of all or, as he put it, to the advantage of what he called a "*de facto* political party". He also made the point about his concerns about press releases and content that the media has put out, people should just focus on honestly and I think that is something for everyone to dwell on. The Historic Abuse Inquiry, the Senator stated that the Communications Unit were indeed heavily involved and he felt responsible for the press conference which is now, I believe, featured on YouTube according to some Members. He highlighted this as an example of what he felt were the failings of the Communications Unit. I do not want to go too far into this but the Senator stated how the Communications Unit ran campaigns containing what he felt to be were half-truths and even slurs against individuals, and flagged this up as an issue that really needed further investigation which I think we are going to have now or later, hence my offer to defer the debate. He stressed strongly the fact that the Communications Unit should have no mandate or leeway for spin because it was taxpayers' money at the end of the day and it should be giving just facts. I think the Senator was the last one to speak and I do apologise if I have missed anyone out. I would just say to the House that in many ways I have achieved part of what I wanted to achieve because I have raised the issue and they are genuine concerns. I fully respect that people have different political views on this. That is politics and I think that is a good thing. My concerns were genuine, this proposition was brought for good reasons. In its present form I do think £203,000 would be far better spent possibly on matters such as respite care, areas where we are being squeezed due to the current situation. But the fact that this has been raised I think can only be of benefit to the Island. It can certainly only be of benefit to transparent and democratic government. With that I would really just, again, thank everyone and hope that we can maintain a nice, tight debate and make the proposition, call for the appel, and wish everyone a lovely lunch.

The Greffier of the States (in the Chair):

Very well, the Members are in their designated seats, the vote is for or against the Eleventh Amendment relating to the Communications Unit in the name of Deputy Trevor Pitman and the Greffier will open the voting.

POUR: 15		CONTRE: 30		ABSTAIN: 0
Senator S. Syvret		Senator T.A. Le Sueur		
Connétable of St. Helier		Senator P.F. Routier		
Deputy of St. Martin		Senator P.F.C. Ozouf		
Deputy R.G. Le Hérissier (S)		Senator T.J. Le Main		
Deputy G.P. Southern (H)		Senator B.E. Shenton		

Deputy of Grouville		Senator J.L. Perchard		
Deputy S. Pitman (H)		Senator A. Breckon		
Deputy of St. John		Senator S.C. Ferguson		
Deputy M. Tadier (B)		Senator A.J.D. Maclean		
Deputy of St. Mary		Senator B.I. Le Marquand		
Deputy T.M. Pitman (H)		Connétable of Grouville		
Deputy T.A. Vallois (S)		Connétable of St. Brelade		
Deputy M.R. Higgins (H)		Connétable of St. John		
Deputy D. De Sousa (H)		Connétable of St. Saviour		
Deputy J.M. Maçon (S)		Connétable of St. Clement		
		Connétable of St. Mary		
		Deputy R.C. Duhamel (S)		
		Deputy J.B. Fox (H)		
		Deputy of St. Ouen		
		Deputy of St. Peter		
		Deputy J.A. Hilton (H)		
		Deputy J.A.N. Le Fondré (L)		
		Deputy of Trinity		
		Deputy S.S.P.A. Power (B)		
		Deputy K.C. Lewis (S)		
		Deputy I.J. Gorst (C)		
		Deputy A.E. Jeune (B)		
		Deputy A.T. Dupré (C)		
		Deputy E.J. Noel (L)		
		Deputy A.K.F. Green (H)		

3. Draft Annual Business Plan 2010 (P.117/2009): third amendment (P.117/2009 Amd.(3)) (paragraph 1)

The Greffier of the States (in the Chair):

We come now to the first part of the Third Amendment in the name of Senator Shenton and I ask the Greffier to read that amendment.

The Deputy Greffier of the States:

On page 3, paragraph (b), after the words “withdrawn from the consolidated fund in 2010”, insert the words “except that the net revenue expenditure of the Health and Social Services Department shall be increased by £475,000 to provide funding for adult respite care.”

The Greffier of the States (in the Chair):

Now, Chief Minister, the Council has presented comments on this amendment but perhaps you could clarify to the Assembly your position on it.

Senator T.A. Le Sueur:

I think the sentiment of some of those comments may still remain but in the interests of a good debate and in recognising the excellent work that needs to be done in respect of respite care, we have come to the conclusion that we will not maintain any opposition to this amendment.

[Approbation]

The Greffier of the States (in the Chair):

With that in mind, I call on Senator Shenton to propose the amendment.

3.1 Senator B.E. Shenton:

In light of the Chief Minister’s comments obviously I will keep this speech fairly short. It was not going to be a speech designed from a political level. The amendment was brought out of a genuine

need to provide funding for an area of our society where too often more important things have taken the funding away from them, and they have never quite sort of risen to the top of the tree with regard respite funding. Although the proposition and the amendment is in my name, I feel, after speaking to many Members of the Assembly, that this is an amendment that is agreed by most Members of the Assembly regardless of their political persuasions. I would just like to thank Deputy Power, Deputy Tadier, Deputy Green, Senator Routier and Senator Perchard for their assistance in putting the proposal together and also the assistance of members of staff at Health and Social Services who obviously I had to contact to get the facts and find out where the provision was needed. I think a lot of people when they are calling for cuts probably do not even know where Maison Allo, Oakwell or Aviemore are or see the good work that they do. We have a number of carers in society that look after people suffering from mental or physical disabilities that as a child we provide reasonable facilities. But, of course, people grow up and people are living longer and it does put a tremendous burden on the carers. To be honest with you, it would be a false economy not to accept this amendment because if we drive people into institutional care because the carers cannot look after them any longer, it is increasing the cost to us and the cost to the taxpayer. So I would thank the Council of Ministers for accepting the amendment and I would like to put it forward.

The Greffier of the States (in the Chair):

Is the amendment seconded? [**Seconded**] Senator Routier.

3.1.1 Senator P.F. Routier:

Firstly, I just need to remind Members of my voluntary position which I hold as chairman of the charity Les Amis which provides full-time care for children and for adults with multiple physical and learning disabilities. I have campaigned for over 30 years for services for people with learning disabilities and I have no intention of stopping now. In fact, it was 16 years ago, before I was a Member of the States, that I met with the Presidents of Health and Social Services to ask about respite care. It was at that meeting that I decided that I would stand for the elections because I was not getting very far with them at that stage but I think things have changed a little bit since then. It has been suggested to me that because of my interest in it I have a conflict of interest, but I do not agree with that at all and I believe that I should take part in this debate. I am obviously thrilled that the Chief Minister has now decided to accept this amendment because it is vitally important that respite services are provided to families within our community. There are, of course, people living within our community who do try and continue to live in the community with the obvious support of having respite care. As the proposer of the amendment said that if you wanted to be mercenary, for instance, you would support this because it is a cheaper option for you because otherwise the States would end up having to support people in full-time residential care. I am not sure that Members will realise that this proposition, although it is focused on supporting adults in respite care which is desperately needed, this will, in effect, also help children's respite services as well because there is a pressure within the children's respite service who is currently looking after children who have grown up, who have now become adults, who would be more appropriately cared for in an adult respite service. So there is pressure in the children's respite service and also in the adult's respite service, so providing this additional support to adults will ease up places for children who are now adults or to move into the adult service. But in saying that, even if we approved this today, the children's respite service at Oakwell still needs additional support because they have had their service restricted in recent times. They are now closing at weekends and on bank holidays, which is not the best of things to be happening, and I hope at some stage that the Minister for Health and Social Services will be able to find the necessary resources to replace that service which has been restricted in recent times. I am grateful to the Minister and the Assistant Minister, Deputy Noel, for taking the time to visit Les Amis last week. I hope they will be able to confirm that the current service that we provide at Les Amis is in a constrained building, it does not provide what would be expected to be a proper service at the present time because the building was

originally developed for children and the rooms are very, very small. We do our very, very best within those confined circumstances but I should mention that Jersey Mencap, the parent charity which I am president of, has launched a project to have a full respite service in a new building. We will take on that commitment of finding the building but certainly the funding that will come from accepting this proposition will help us to fund the service within a new building. I am delighted that the Council of Ministers has now accepted this and I do hope that all Members will get fully behind it. I know the Minister for Health and Social Services and her team are fully behind it as well and want to ensure that there are good respite services within the Island and I thank all Members who do support it. Thank you.

The Greffier of the States (in the Chair):

I will just remind Members the amendment is accepted and those speaking in favour may wish to **[Approbation]** keep their remarks relatively brief. Obviously, any Members who wish to speak against the amendment will no doubt wish to speak at greater length. I have seen Deputy Green.

3.1.2 Deputy A.K.F. Green of St. Helier:

I will cut out most of what I was going to say and thank the Chief Minister and the Council of Ministers for supporting this. But there are some things I would like to just pull out of this because I think it is quite shameful that we find ourselves in this position today where an amendment had to be brought. Most Members of this Assembly - there are a few exceptions - have no idea what it is like to be a carer 24 hours a day, 7 days a week, day in, day out: never to be able to eat a meal in peace, never to have an uninterrupted discussion with friends or your partner, never being able to vary your arrangements in terms of going home, holidays are impossible, a simple trip to the pictures denied, a peaceful soak in the bath impossible, the list is endless. As I say, few people would understand what it is like to have that level of stress; not day in, day out but year in, year out. The only release that comes from that is on the person, the carer's, own death or the death of the person they are caring for. Clearly, something is wrong when carers look forward to going into hospital for surgery, not because it will relieve the condition they suffer from - and I have seen many cases of this - but because it will give them a day off. Something is very, very wrong. We have been in a position where we have been for years employing social workers, which is a complete and utter waste of time unless we give them the tools to do the job, and we are going to do that today; I am pleased to see that. It is no good writing good care plans and action plans unless there are facilities there for those plans to be fulfilled, and I am delighted that we are going to see that today. **[Approbation]** There has been a total lack of understanding by officers in the Department of Health and Social Services of the pressures carers find themselves under, the need for good community support for children and vulnerable adults. It is estimated in the Carers' Strategy that there are 10,000 carers in this Island. Mencap do an excellent job around people with learning difficulties and some young children. I am looking forward to seeing the Green Paper from the Minister on the people with dementia but there is a whole raft of people not catered for. Frankly, I am delighted to see this money come in but I doubt that it will be enough but it is a good start. The lack of understanding is evidenced. The lack of understanding of the support that the carers need is evidenced in a number of ways. I have to question the advice that the Minister and her team were given at the start of this Business Plan process with the shutting of Maison Allo and places like that. **[Approbation]** How can the department justify a reduction in the budget for those elderly suffering from dementia of over 25 per cent reduction in that budget since 2005 and a 49 per cent reduction in the rehabilitation budget for elderly since the same time? This has got to stop. Senator Shenton's proposal has started the move in the right direction and I urge Members to support it.

3.1.3 Senator J.L. Perchard:

In the interests of efficiency, there is little to add to what Senator Shenton, Senator Routier and Deputy Green have just said and I will not repeat what they have said. I just want to say I do

question the priorities that the Council of Ministers give to spending programmes. Deputy Green has highlighted the difficulties of a carer and the cared-for person and the incredible circumstances in which they have to function. We expect carers to manage without reasonable support and it is not only questionable priority as to whether the Council of Ministers have their priorities right; we see massive investment at the airport, for example and the tightening of the belts at Health and Social Services. Not only do they have their priorities wrong but they also have their business model wrong. There are approximately 10,000 people in Jersey who are involved in caring for their loved ones. It is estimated one in 7 of us, in some way, are involved in caring for somebody who needs support. Of course, there are massive degrees of that level of support. But if 0.25 per cent of those carers just say: "I cannot cope. I have to give up, I cannot do this", that means 25 people will come into the care of Health and Social Services. Those people will probably have complex needs. That is quite likely to cost in excess of £50,000, more like £100,000, per client. Not only does the Council of Ministers have their priorities wrong in the moral debate but they have their priorities wrong in the business debate here. This is nonsense. For them to have considered rejecting this proposition was wrong and I am delighted and I thank them for having second thoughts. The Carers' Strategy is a draft that the new Minister for Health and Social Services has circulated and hopefully will be seeking funding. The Carers' Strategy, it is vitally important that we do fund it; it is an investment. It is a sound business investment which the Treasury surely will support and it has to be right to support carers in the community. These unpaid heroes need our support.

3.1.4 Deputy T.M. Pitman:

Again, I want to just follow on from the last 2 speakers; all speakers really. Senator Perchard raises some excellent points. I have seen, certainly from family circumstances, how people have to struggle to look after a loved one once they have had a series of strokes, even having to transport them to hospital and things when they are 78 years-old themselves and unwell. As I said the other day, we need to get back to looking at causes and not treating symptoms because that is how we will save money long term. Deputy Green raised the points that I really wanted to talk about with the carers. I thought he might just touch on young carers as well, because I know that he will be aware that there are many of those; I have been fortunate enough to work with quite a lot. For them the problems and the strains are perhaps even greater because you are still developing and you are almost being an adult before your time. The other part of that, of course, is you do not get to be a child and that, as I say, we really need to find - I think we are moving towards finding - a better way where money might be spent. It might seem a lot but in the long term what we are getting back is worth that tenfold because we are enabling all people to play a part in the community. I just pay credit to Senator Shenton for bringing this and, of course, I will support it.

3.1.5 Deputy M. Tadier of St. Brelade:

Yesterday may not have been our finest day but I think we have achieved something very important here in this decision and I think it is important that I personally, in one sense, thank the Chief Minister for his decision for changing his mind. I think credit where credit is due. One is often criticised for criticising, sometimes unduly or sometimes validly, but I think this is a correct decision and that has to be acknowledged. The Council of Ministers could have remained hardnosed and tried to justify on a superficial level purely economic grounds, but as we have heard from Senator Routier, it would have been a false economy because in the long term I believe it would have lost us money and, of course, there is a human price. The reason I rise to my feet is that I did not really do much in all this; I was on holiday a lot of the time when all the negotiations were going on but I did act as a point of contact for 2 parishioners. I will not talk at length but, briefly, they are 2 parents and they have very different situations but in some ways very similar. One is the parent of a child with severe autism; the other a parent of a child who I believe has cerebral palsy. Although the conditions themselves are very different, the requirements for the parents and the rest, which Deputy Green pointed out, are absolutely important. These are people

who work very hard. They often never ask for anything and the little they do get is always gratefully received. For example, I believe that in the past they have benefited from one night a week where they know that they can put their child into a place of care and the children will be looked after, and that simply gives them one night off a week where they can do things we take for granted like watching television, having a bath, things that were mentioned only a moment ago. This was exactly this that was being threatened. It is very much an issue when the child gets over a certain age and they no longer qualify automatically for certain benefits. One person in particular, rather than being offered one night off a week was being offered 2 half days, and although it seems like that adds up mathematically, it is not the same at all. It is very important, and I cannot stress that enough, the parents have a complete break to really recharge the batteries and also to get away once in a while from the Island. Not because they want to do that; because it is necessary just for their own sanity and their own wellbeing. So I think what we have seen today is really a triumph for compassion, it is also a triumph for democracy because this really started at the grassroots. Some of us had varying amounts of knowledge about the problems and also the commitment that these carers put in, but it really started off from the parishioners themselves getting in contact with the Deputies or the Senators, and the Constables as well, of course, advising us that there is a problem. It really shows that things can change and that we are not right to be cynical all the time. The system can work and it serves as an example for people really to get engaged in politics at a grassroots level, I believe. I do just have a couple of further points to make. I imagine we will hear from the Chief Minister and I would like to know what caused this U-turn. I am not asking that to crow; I am really asking just so that we might get an insight into it. I would also just give one last point as a warning to us all to maybe search our souls. Because we will all support this today. I am sure that when it comes to the vote and an appeal will be called for, that it will have unanimous support. But I would also say that if the Council of Ministers had not accepted this amendment, which I am glad that they have, I wonder how many people would have voted against it. Certainly one should have been the Chief Minister. That really has to lead us to question how many times do the Council of Ministers get things wrong; when they do not do a U-turn? How many of us who want a debate go simply along with them purely because we have trust? That is not to disparage or diminish any of our judgments, it is just simply to say that people do have some trust in the Council of Ministers; is that trust always well based?

3.1.6 Deputy A.E. Pryke of Trinity:

I rise really to thank people for comment and especially those that are mentioned and I will add to that the good service that is provided by different organisations like Les Amis, Maison Allo, Mencap and others. This is a very difficult one: do I rule my heart or my head? I am very much aware that I have had a big budget and hopefully will be supported with the next amendment. I also want to make sure that Senator Shenton's proposition in the report focused on children with special needs. This is a big area and will need to be addressed and with this funding, I hope that it will go some of the way, but also it is wider than that. It is special needs and also adult respite care and those other vulnerable groups such as the elderly and those with dementia that would benefit from respite care. It is very difficult to single out one area rather than another because all of them have their own special needs. This will become even more important as we go into future years because of good medical treatment and good medical intervention, as we all know that we are living longer and those with special needs and the elderly will fall into this as well. I just want to mention briefly because we are looking at all these issues and Senator Perchard mentioned the Carers' Strategy of which he was the start of it, under his ministerial, and I commend Members to read it, but more importantly we are looking at this. We are taking the broad approach and under the chairmanship of Dr. Margaret Bayes it is progressing, so we have not just been sitting back idly doing nothing. It is important that any strategy that we do put in place is broad and encompasses all areas. That is the most important thing that I want to get the message across. It is progressing and there is a policy team led by Jurat Myles who is away, who, I am sure most of you will know, leads by action. It will be put in place over the next year and the following years. So, a lot of work

is being done and we have to look at this right across the board. As people have mentioned, it will need more funding and that is one of the challenges that I will have next year and future years. I do not want to do it by piecemeal. I want to make sure that what is in place is going to be fit for purpose and is going to help every single one that needs respite care. I would like to thank the Chief Minister too that we, the Council of Ministers, have changed our minds and I will leave it there. Thank you.

3.1.7 Senator S.C. Ferguson:

I would just like to reiterate the fact that I think everybody here has their own particular area of caring that they support and there are different types of respite for different types of situation. I agree entirely with Deputy Green. Like him, I do have some experience of this and whatever else, you do develop a wonderful sense of black humour. My particular area is the number of the aged and we are considering the carers, but I would also remind people that better respite for the cared for is in their own homes and in familiar surroundings. That is an area that we do need to keep in mind plus the necessity for helping the carers when they find themselves in a state of caring. If it is a child looking after a parent, you suddenly realise that there is a total role reversal and you are not the child any more; you are the parent and that psychologically can be incredibly difficult. Thank you.

Senator S. Syvret:

Could I just propose a point of order? There is a Standing Order, is there not, about repetitious and time-wasting speeches. We did discuss the nature of the business we have to get through earlier this morning and I am sure we could all stand up and speak for 5 or 10 minutes [**Approbation**] about how strongly we support this proposition but I really think, given that it is not contested any more, I would urge Members simply to get on and accept it.

The Greffier of the States (in the Chair):

That is a helpful intervention, Senator, I am sure Members will bear that in mind. I saw the Deputy of St. Mary.

3.1.8 The Deputy of St. Mary:

I take Senator Syvret's point but I do have some experience in this area, as I worked for Jersey Mencap for a number of years with people with learning difficulties, not that that is directly relevant to this but I have been sensitised to these issues. We have to remember that this amendment originally was opposed and now it is accepted and I am really thankful to the Council of Ministers for their change of mind and we have heard exactly why from other speakers. I just wanted to make 2 points: one is that in their original comments and, remember, these opposed this and it is so important to get this right for the future that it is imperative that funds are invested in the high-risk areas already identified. Now, Deputy Le Hérisier asked a written question, I think, in the last session - perhaps this one - and he asked about the prioritisation process within the Health Department. All S.M.T. (Senior Management Team) members on 19th May were formally requested to identify, based on their professional opinion, the 10 "lowest priority service areas" with regard to risk to patient life/urgent care. That is what this is about. It is about the fact that if we always just do what is urgent, what is necessary to save lives, we are not going to find the money for this sort of amendment. I am so glad that it has been accepted, I am so glad that it has been taken on board but I hope that it is a structural change and that we do not see that kind of wording again because that is so important. The other little point is that also in their comments the Council of Ministers originally objected to this on the ground that it was not quite ready and that somebody else was working on it: the Carers' Partnership Group. I fully support their work but to say: "Well we are not quite ready, so maybe not the money now and maybe later" I am so glad that we are voting the money; we are saying that this matters, this has to be committed to and within that group and within Health in general, we will find out how to spend the money in the best way

for this purpose. I think that is the right way to go and I am so, so pleased and, of course, will vote for the amendment.

3.1.9 Deputy I.J. Gorst of St. Clement:

I will try to be quick. This is, in my view, just a start and we will not fully get to grips with all the issues that are outlined in the Carers' Strategy until we finally get to grips with appropriate funding for Health for these particular individuals. I am of the belief that individuals that need this sort of care should have individual funding packages so that the care can be provided from the money that we provide for them. Over the course of the last 24 hours Senator Syvret sent a number of emails with attachments to Members. I do not wish to comment about most of them but I do wish to draw Members' attention again to one of them and that was where he gave his critique of New Directions. I think that there is some very valuable and informative points made in there [Approbation] and in actual fact he is right when he says we need to get to grips with Health funding in the long term. He suggests perhaps a European-type social insurance scheme for topping up healthcare. I have to say that I personally think that that probably is the way forward but we must stop having these sorts of debates, coming and arguing over small amounts for small improvements [Approbation] and finally, once and for all, get to grips with the big picture. Thank you.

3.1.10 Senator P.F.C. Ozouf:

I realise that a lot of people have spoken. I said yesterday that somebody has to be the financial conscience. My heart tells me that this should be supported but my financial head, without a commensurate income-raising measure or the appropriate funding tells me that we cannot or should not, and this is extremely difficult. I fully understand and accept, and the Health team and I have been looking at issues of dementia and care, of which there are equally compelling arguments that could be made and I support them. The reality is that this Assembly is going to have to deal with and this amendment is going to be accepted. I am going to abstain from it because I am going to have to remain independent and deal with the revenue-raising consequences. Health has a budget of £167 million. It has been increased by £10 million this year and there is going to be a consequence of that. Deputy Gorst is absolutely right that we have to deal with the fundamental issues of healthcare funding and I am going to do that. If Members want to support this amendment, then I have to tell them that there is going to have to be a revenue-raising consequence of all the amendments and the consequences of a £10 million additional investment in Health in the budget and that has to be against the promise of no new taxes. But we are going to have to look at it; there has to be a financial consequence. I will do my best but I need to be the financial conscience of Members and say that there is income-raising. I do not think we should debate this much more; it is going to be accepted. I will take the signal of the Assembly and deal with the serious consequences that this imposes on us.

3.1.11 Deputy A.E. Jeune of St. Brelade:

J.A.C.I. (Jersey Association of Carers Incorporated) was set up by Soroptimist International of Jersey of which I am a member and therefore declare an interest. I believe we all know that the respite services are lacking in the Island. But I do not believe these knee-jerk financial arrangements are going to address the main issue which is dealing with the long-term care in a co-ordinated, joined-up, well-managed and resourced manner. What has been discussed this morning appears to have tended far more towards children respite services and my understanding is this proposition is about adult respite services. I would be grateful if the proposer, in his summing-up, would clearly identify that this £475,000 is going to be put to adult respite services. Thank you.

The Greffier of the States (in the Chair):

Well, I think Senator Shenton can address it in his summing-up.

Deputy M. Tadier:

I just have a point of order, and it is a point of order because I believe it does need a ruling from the Chair. A moment ago we heard great groans when the Deputy of St. Mary stood to speak, and even though that is his democratic right and it was not a particularly long speech either, we have other Members who subsequently have stood up to speak and that was quite valid. You do not hear groans on this side because **[Approbation]** if you excuse the language, it is damn rude. Now basically I would like a ruling from the Chair because I think this is a divisive practice and after yesterday's shenanigans it only serves to bring the House into disrepute. So I would like a ruling from the Chair as to whether groaning is allowed when certain Members stand up and others do not. **[Laughter]**

The Greffier of the States (in the Chair):

The tradition of the Assembly is one of courtesy and respect to other Members and we do not have the bear pit attitude, luckily, that prevails in other parliaments but one cannot, nevertheless, prevent Members from occasionally expressing the feelings they may feel about other Members. I do not think I can say much more than that but I think all I would say is we do, luckily, have a tradition of respect and courtesy that perhaps does not prevail in other parliaments around the world. I call on Senator Shenton to reply.

3.1.12 Senator B.E. Shenton:

I am going to be very brief. I would like to thank all those Members that have spoken. I think I will ask for the appel because I would like to send out a signal that this is fully supported. There are just a couple of very small points. What I would suggest to the Treasury Minister and to the Council of Ministers in future is that when you do your Annual Business Plan you start with a clean sheet of paper. At A&E (Accident and Emergency) we operate a triage system where you deal with the more important aspects of illness, so on and so forth first and then deal with the less serious cases later. What happens at the moment is we have the set budgets and you start off with the budget base. I think if you started with a clean sheet of paper you would find that Health would deserve a lot more money and perhaps some other departments like Economic Development and Education would warrant less money. With regard to Deputy Jeune, I think the proposition which is fairly short and fairly straightforward says: "The net revenue expenditure of the Health and Social Services Department shall be increased by £475,000 to provide funding for adult respite care." I do not really think that you can get much clearer than that. I would just point out to Deputy Jeune that I have been a Member of this States for 4 years and my father was a Member of the States of Assembly for a very long time before that and too often we spend all our time writing reports and saying what we are going to do without putting the funding in place to do anything. **[Approbation]** These carers, they are caring for people today. They cannot sit around and we cannot say to them: "Well you can go to the pictures in 2012 because we have a few more reports to write. There might be some good films on then." With regard to the Minister for Treasury and Resources about identifying funding, the whole point of the Annual Business Plan and separation of the budget was so that we did not get into the base where you are saying: "Well we fund our respite care by putting 2 pence on a pint of beer" which is what we do with television licences. This has to be funded. There is waste in the States and I think the Minister for Treasury and Resources, if they did start with a clean sheet of paper, would be able to identify the waste. I would ask for the appel. I thank the Council of Ministers for supporting this. I thank the Assembly for supporting this because I think it is supported by most politicians. As I said before, this amendment, although it is brought in my name, I think it is brought by the majority of Members in this House and I ask for the appel.

The Greffier of the States (in the Chair):

The vote is for or against the Third Amendment in the name of Senator Shenton. If Members are in their designated seats I will ask the Greffier to open the voting.

POUR: 44		CONTRE: 0		ABSTAIN: 2
Senator S. Syvret				Senator P.F.C. Ozouf
Senator T.A. Le Sueur				Deputy A.E. Jeune (B)
Senator P.F. Routier				
Senator T.J. Le Main				
Senator B.E. Shenton				
Senator J.L. Perchard				
Senator A. Breckon				
Senator S.C. Ferguson				
Senator A.J.D. Maclean				
Senator B.I. Le Marquand				
Connétable of St. Helier				
Connétable of Grouville				
Connétable of St. Brelade				
Connétable of St. John				
Connétable of St. Saviour				
Connétable of St. Clement				
Connétable of St. Peter				
Connétable of St. Mary				
Deputy R.C. Duhamel (S)				
Deputy of St. Martin				
Deputy R.G. Le Hérisier (S)				
Deputy J.B. Fox (H)				
Deputy G.P. Southern (H)				
Deputy of St. Ouen				
Deputy of Grouville				
Deputy of St. Peter				
Deputy J.A. Hilton (H)				
Deputy P.V.F. Le Claire (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy S.S.P.A. Power (B)				
Deputy S. Pitman (H)				
Deputy K.C. Lewis (S)				
Deputy I.J. Gorst (C)				
Deputy of St. John				
Deputy M. Tadier (B)				
Deputy of St. Mary				
Deputy T.M. Pitman (H)				
Deputy A.T. Dupré (C)				
Deputy T.A. Vallois (S)				
Deputy M.R. Higgins (H)				
Deputy A.K.F. Green (H)				
Deputy D. De Sousa (H)				
Deputy J.M. Maçon (S)				

4. Draft Annual Business Plan 2010 (P.117/2009): nineteenth amendment (P.117/2009 Amd.(19))

The Greffier of the States (in the Chair):

The next item on the running order is the Nineteenth Amendment. Chief Minister this is an amendment that was lodged by you under Article 11(5) of the Public Finances Law after the normal 14-day notice period. Do you wish to ask the Assembly that be taken today?

Senator T.A. Le Sueur:

I do, yes, please. I apologise to Members for bringing this somewhat late in the day but we have been trying it this way and that way to see how we can resolve some of the issues facing the Health and Social Services Department. At the end of the day, we felt this amendment was necessary for the delivery of good health services next year and I would therefore ask the indulgence of the Members that we be allowed to debate that this morning and provide some extra funds to Health.

The Greffier of the States (in the Chair):

Are Members content to debate this amendment this morning? I see no dissent so I will ask the Greffier to read Part 1 of the amendment.

The Deputy Greffier of the States:

Page 3, paragraph (b), after the words “withdrawn from the consolidated fund in 2010”, insert the words: “except that the net revenue expenditure of the Health and Social Services Department shall be increased by £1,100,000.”

The Greffier of the States (in the Chair):

Is this a matter you are presenting, Chief Minister, or ...?

4.1 Senator T.A. Le Sueur (The Chief Minister):

Well the proposition is in my name so I think, probably in fairness, I should bring it myself. Earlier this year I spent some time at the General Hospital talking to medical staff at various levels and I became aware of the pressures they were facing. Over the past few weeks I have become even more acutely aware of those pressures and the need to address them urgently. Together with my fellow Ministers, I spent many hours discussing with the Minister for Health and Social Services an acceptable way forward in coping with the many pressures her department faces. I have to say that recognising those pressures, the Council of Ministers earlier this year identified the need for additional funding and sought ways of finding additional monies for the Health and Social Services Department. Members will see that even in the original Business Plan we provided significant additional sums. The Minister for Treasury and Resources mentioned the sum of £10 million; it is significantly more than that and is more like a 10 per cent increase in their budget. We did hope that with such a significant increase in their budget they would be able to deliver these services that they need to provide to an acceptable level. But I accept that since that time a new Minister for Health and Social Services has been appointed and she has needed time to come to terms with the actual scale of the problems facing that department. Along with every other Minister, she has had to look for savings in her own department in order to achieve our objective of not adding to the overall spending burden. She has faced pressures, just as other Ministers have, and throughout the summer I know that the Minister for Health and Social Services has looked at every way she can to balance her budget and to find the required level of savings; real savings which can be delivered in the coming year. I should pay tribute here to the way in which she and the Minister for Social Security have worked together in a constructive and positive way. Evidence of that is the fact that £900,000 has been identified as a potential charge to the Health Insurance Fund subject to certain changes in those funds’ legislation. But nonetheless, even with the full co-operation of Social Security, who have come up with nearly half that £2 million shortfall we have, there remains a balance of just over £1 million to find. I believe that it is essential that this money is spent and I am therefore bringing this late amendment to our Business Plan. It is brought in my name to comply with Article 11 of the Public Finances Law but I think it is really brought in response to the pressures which I know that the Health Department and the Minister for Health and Social Services are facing, particularly in the areas of nursing and medical staff, the problems that they are faced with: overtime levels, manning levels and the need to give those staff proper working conditions in order to deliver their job more effectively for the benefit of their patients. I therefore propose the amendment.

The Greffier of the States (in the Chair):

Is the amendment seconded? [**Seconded**] The Deputy of Trinity.

4.1.1 The Deputy of Trinity:

Since becoming the Minister for Health and Social Services at the end of April this year, one of the most difficult tasks and challenges has been to put together this Business Plan. The Assistant Ministers and I came to it in the middle of discussions which were already being held regarding the Business Plan which, as you know, initially caused great concerns to the members of the public and to this House. Having listened to the concerns of Islanders, I went back and revisited some aspects of it and brought forward a revised Business Plan and this draft is in front of you today. But I want Members to be under no misapprehension that my department faces significant cross-pressures right across the board because every service we provide affects people, children and families. Over the last month of finalising the Business Plan, my Assistant Ministers and I have strived to balance the very urgent need to under-funded areas, especially in critical services, but also recognising that the Island faces severe financial constraints. This is why one of my Assistant Ministers, Deputy Noel, has financial responsibility in this area. I am determined to look ahead and take Health and Social Services forward to make it fit for the 21st century. But that does not come without its difficulties, one of which is the Business Plan. To achieve this looking forward, we need to learn from the past and move on, improve a service which in turn improves staff morale and undoubtedly improves the life and health of us all and I have a great responsibility to every single member of the community. A service that is continually being asked to look back with reviews, reports, *et cetera*, just drifts, gets nowhere and achieves very little. I do not want this and I hope this House does not want it either. I cannot achieve this alone and it has been an effort by all the staff and, very importantly, will need help and support from this House. This year this Business Plan is the beginning of that process. It has significant investment in specific areas, especially investment in drug therapies that increase year on year with no regard to inflation. For this reason the Business Plan incorporates a £300,000 increase in the department drug budget. A further £1 million investment is included to support older people who are discharged from hospital into suitable care in the community. A £1 million investment is also included in acute services and provision of U.K. (United Kingdom) specialist treatments. Another £400,000 is being directed towards the mental health services with regard to building safer society initiatives; an additional funding to Les Amis to support those clients with special needs. One of the main investments is to implement the Williamson Plan with £2.8 million earmarked for 2010. At this point I am grateful to the Health, Social Security and Housing Scrutiny Panel for their review of services to vulnerable children. My response to their review will be coming out shortly. I aim to lodge the Williamson Implementation Plan soon to the Council of Ministers prior to it being lodged in this House. There have been some amendments as a result of the review as well as input from Andrew Williamson and the independent chair of the Child Protection Committee, as we are a year further down the line. I am determined to put this plan into place to enable our service to move forward and improve services for our vulnerable children in Jersey as soon as possible. But in looking forward I also need to take account of the individuals affected by the Historic Child Abuse Inquiry. Investment is included to support these victims and their families to have psychological trauma support. This is to ensure that they get the professional help and support they need to move forward in their lives. But I would be failing in my duty if I did not look at savings. Any organisation, department, even a household budget needs to look at where savings can be made. I have done that and have a demanding programme of efficiencies across the departments. One of the main ways will be the first States departments, other than the Environment Department, to be ECO-ACTIVE business accredited. I am delighted with the staff's initial reaction to my war on waste and hope to deliver this important agenda in the next 12 months. Other efficiency savings have been achieved without resorting to any compulsory redundancy or significant reduction in service levels. But this leaves me with a shortfall of £2 million. This is partly addressed by my colleague, the Minister for Social Security, who is working with me to bring some sensible solutions to the delivery and funding of

care in the primary and secondary sectors and I thank him and his department for that. We will be bringing these proposals to the House for debate before the end of the year. The remaining £1.1 million is contained with this amendment 19. I have been very grateful for the support of the Chief Minister, the Council of Ministers and especially the Minister for Treasury and Resources for his wholehearted support for bringing forward this amendment to increase the net revenue expenditure of the Health and Social Security Department by that extra £1.1 million in 2010, and by similar sums the following 2 years to address those vital frontline nursing pressures at the hospital. I believe it is important, as I explain in some detail, why this amendment is necessary and, if Members allow, I will explain why this figure was not included in the original Business Plan. As I have already described, as most of you are well aware, Health and Social Services have come under significant increase in demand for services. This is mostly due to the obvious impact of an ageing population but in no small way by the increasing demands of a number of other fronts, not least relating to the needs of children and the preparation and planning for an unprecedented mobilisation of healthcare workers to offset the worst outcomes associated with the pandemic flu outbreak here in Jersey. However, this amendment relates to a fundamental risk at the heart of healthcare and that is insufficient nurses to run our wards. Looking forward, I am delighted with our progress to grow our own nurses but this takes time: 4 years before the first locally-trained nurses will be on the frontline. Also to add that we have cadetship, as well as encouraging Year 10s and 11s from secondary schools to have a look at how the staffing and midwifery staff work at the hospital. We are looking forward. But meanwhile we are losing well-trained professional nurses to other countries as a global demand outstrips the supply and there are a number of issues that sit right at the heart of this but by no means is there one issue that is causing our nurses to leave the service. But we also see many of our nurses moving across the organisation from other areas where there are very heavy workloads, to those areas where staffing levels, sickness levels are lower. Although I have been at Health and Social Services for a short time, I have walked all around the wards, met the staff and seen how the nurses are going the extra mile time and time again covering extra shifts, working with a patient workload that is getting older and sicker. These increased dependency levels of patients means that more nurses are required to care for them. From June 2007 to June 2008, data was collected across the General Hospital, Mental Health area, Older People and Special Needs area; in total, 35 inpatient areas. This provided the data for a comprehensive and independent staffing review. Statistical analysis and best practice benchmarking was provided by Professor Keith Hurst from the University of Leeds. The result of the review recommended a minimum number of nurses per occupied bed ratio and also a minimum staff mix ratio - that is the percentage of qualified nurses to healthcare assistants to sustain a safe shift pattern. This research demonstrated clearly that staffing levels across Health and Social Services were inadequate compared to other jurisdictions in similar hospitals. The research recommended investment in support of an additional 64.5 full-time equivalents at a recurring cost of £3.2 million required over a phased period of 3 years. Unfortunately, these plans did not come forward at a time to coincide with the business planning process but that is abundantly clear today and what was a chronic staff shortage is now an acute one. Much can be said of: "Did we not realise it was coming?" There has been an unprecedented change over the last 6 to 9 months with more people being admitted into hospital. I now have very detailed plans to increase spare capacity at the General Hospital so as to be able to reduce the bed occupancy to a maximum 85 per cent and to increase nurse staffing levels across those areas most badly affected by the shortages. If this additional money is agreed today, I will begin a 3-year phased investment in nursing staffing levels across Health and Social Services equating to 39 full-time equivalents in 2010. The increase in staffing level must be carefully phased so that appropriate training and safeguards can be put into place. It will also begin to address the issues of medical manpower where the hospital needs to improve its own out-of-hours senior medical staff to cover high risk areas such as acute emergency, A&E Department and emergency medicine as well as obstetrics and gynaecology. While there is much work to be done to address recruitment and retention in nursing in Jersey, this investment will help to break the cycle of overworked staff leaving the Island and the profession and the hospital's

over reliance on expensive overtime, agency and bank staff. I come to you today to inform you that this risk provision to safeguard Health is rapidly increasing as the situation with retention escalates and I urge Members to support this amendment so I am able to provide a safe, high quality care across the Health Service. I would also like to, at this point, thank the officers and staff of Health and Social Services, including the management team. It has been very challenging and it has not been helped by all the changes that have taken place at Ministerial level. Be under no illusion. We all have learnt from this process but we all will move forward together. 2010 will be difficult but we will rise to that challenge. The Minister for Treasury and Resources has asked for a comprehensive financial plan of the whole of the department. This is an important step as we move forward to 2011 and beyond where there will be undoubtedly more demands on the service due to improved medical and surgical treatments, new drugs as well as a changing demographic profile. I very much welcome this comprehensive review and look forward to working with the Minister for Treasury and Resources and Deputy Noel to achieve this. We have to have a service that is fit for purpose. We will need to look at what type of Health and Social Services this Island needs and requires for the future and to ensure that it is properly funded and we all need to do that together. With the support of my Assistant Ministers, Council of Ministers and this House, we will take Health and Social Services forward to one of which the Island can be proud. I ask for that support today by approving this Business Plan and this Amendment 19.

4.1.2 Deputy D.J. De Sousa St. Helier:

I will say, first of all, I am, and I am sure most people in the House here today are, going to wholeheartedly support this, but I do feel I must say that the Minister for Treasury and Resources has just very vociferously spoken about having to find an extra £475,000 for adult respite care and told us in no uncertain terms what we must do and think about where these savings are going to come from to fund this. Now we are being asked to find £1.1 million and he has seconded this amendment.

Senator P.F.C. Ozouf:

Sir, would the Deputy give way?

Deputy D.J. De Sousa:

Can I just finish and then you can come back afterwards please?

Senator P.F.C. Ozouf:

Carry on.

Deputy D.J. De Sousa:

Go on then. [Laughter]

Senator P.F.C. Ozouf:

All I would say is that I was not suggesting savings. I was suggesting that there was going to be commensurate income lines and, therefore, charges and taxes.

Deputy D.J. De Sousa:

Along the same lines but the money has to come from somewhere. I believe that every area of Health needs extra funding and all areas are equally important. It is just as important that carers are provided assistance, otherwise, there will be increases on nursing care and beds putting a strain on staffing as the Minister for Health and Social Services has reiterated. So, therefore, I cannot see what the difference is. We have to, in this Annual Business Plan, come up with what we need and then the budget comes later. I will be backing this.

4.1.3 The Deputy of St. Mary:

I will be brief but I was so amazed at some of the things the Minister for Health and Social Services said that I felt I had to perhaps ask for clarification from somewhere on the Council of Ministers' benches. Of course I welcome this amendment. It is another of those: "The money has to be found." But to pick up on just a few of the things the Minister said towards the end of her speech. If I heard her correctly and if I noted it down correctly, she said that there was research done recently that showed that we needed a further 64.5 full-time equivalents over 3 years in terms of medical staff in the hospital but these plans did not come forward into any Annual Business Plan for some reason to do with timing and I was not quite sure what. But there is that research, it was not done and so that is the first strange thing. The second was she rhetorically asked me and I did not realise it was coming ... and then mentioned that there were more people coming into the hospital over the last 9 months. I am sorry but I do not think this problem is about more people coming into the hospital over the last 9 months, unless that can be substantiated that the numbers have gone up really in such a way that the whole budget is blown sideways. The third is this issue of staff retention or staff loss talking about a cycle now of overworked staff leaving the Island and reliance on more expensive, obviously, agency staff. Now I would just like to finish what I am saying and I am quite happy to make the point of the more expensive agency staff. Now I remember following the whole prison saga as a reader of the *J.E.P. (Jersey Evening Post)* and the struggles that Senator Kinnard had to get funding for the prison on the same basis. There were overworked prison officers. They were leaving, they were under stress, they were going off sick and they were doing overtime as well. They were stuffing the holes with overtime because they did not have enough staff and I think they were hiring agency staff as well. I may have got that wrong but I think it was overtime or agency or both but a similar problem at the prison. Now we learn 2 days ago in our *J.E.P.* that the Acting Police Chief is saying that he is below staff, he has not got his complement and so the police will have to reduce their service to the public and he can go on with this for maybe a year but the cracks will begin to seriously show. What kind of false economy is that? So we have this kind of picture of not quite dealing with the fundamental issues, as Deputy Gorst pointed out in his speech about the last amendment, and we cannot go on like this. We have to learn the lessons and I do hope the Council of Ministers learn the lessons from this. I heard from the Minister that there will be a comprehensive spending review. Well, you will find what you are looking for and if you are looking for efficiency cuts, you will find them but I do suggest that there are not many more efficiency cuts to find and the good Minister did say that she is pursuing ECO-ACTIVE. That is the way to go. You will save money by turning down the heating and so on. There are big savings there but the fact is the problem is deeper and I just hope that the Council of Ministers and this House learns the lessons from this amendment. Thank you.

4.1.4 Deputy A.K.F. Green:

I have to say, when I first read the proposition, to say my gast was flabbered would be an understatement. I was not sure whether I was going to support this or not and I will explain why but I think the Minister has convinced me of the need to support his. I meant no disrespect to the Minister for Health and Social Services when I said I was not sure whether I was going to support it or not because she really has - to use a sanitised Army term - been handed a crock of effluent. **[Laughter]** I was surprised, like others. Sorry, I could not resist that one. I was extremely surprised, like others, that the Minister for Treasury and Resources, who is normally very prudent, has agreed to this amendment - but maybe he knows more detail than we know - on what is the sketchiest of information. Okay, it is highlighted a little bit more by the Minister but I suspect if I or any of the other Members had brought a proposition on that sort of information, it would have been thrown out saying: "There is not enough information there." I might be persuaded and I think I have been persuaded to support this but I have some concerns and these concerns are what has happened to the nursing posts that were there and what has happened to the budget that was there? What I would like the Minister to do is perhaps go back to 2005, and maybe 2006 and 2007, and look at the establishment and look at the funding that was there and find out where it has gone because I suspect we will find that the nursing posts were there, that the budget was there and they

have been used differently. Now that is rewarding creative accounting and it is rewarding poor management. The Minister for Home Affairs could make the same decision: "Well, I will move some money out of the police workforce into some other budget and then scream that I have not got enough policemen." We, I would suggest, had sufficient there. I would like to know what happened to those posts and what happened to the money. I know we are in a situation now, we need to do something about it, so I have been persuaded to support it but I am not happy.

4.1.5 Senator B.E. Shenton:

Deputy De Sousa makes a very good point and I note that the Minister for Treasury and Resources has not spoken yet, so I would ask him whether he is going to abstain on this vote, seeing that the funding source has not been identified. It seems rather strange that he seconds something and then abstains on it. I would also ask him why, when they rejected my carers' strategy proposition, they said it was partly because I had not identified any savings and yet this proposition has been brought forward without identifying any savings. **[Approbation]** There seems to be one rule for one and one rule for another. Thirdly - again directed at the Minister for Treasury and Resources - there is a massive job to do at Health and I am well aware of that, being a former Minister for Health and Social Services, and I would just like to say to him that snide remarks made at the I.O.D. (Institute of Directors) debate about the previous political leadership at this House is neither helpful nor professional.

4.1.6 Senator P.F.C. Ozouf:

Deputy Green is absolutely correct when he has serious questions about previous Health budget increases which have gone on nurses and what I need to say to Deputy Green and others is that I fully accept that this is not good or acceptable financial discipline for this Assembly and it makes me incredibly uncomfortable. But the new Minister for Health and Social Services and I and the team, together with the Chief Minister, over the last few weeks have spent hours and hours with the Health officials and with the Health Finance Director working as a team to try and get to the bottom of the scale of issues that she and her team are making. I have confidence in the Financial Director of Health. We are getting good information now and we are getting to a real better understanding of the different areas of expenditure pressure, *et cetera*. It is quite simply that we have arrived at a position where there was no alternative but to give Health, for 2010, this additional money in order to increase the nursing establishment. Of course there is going to have to be a consequence in dealing with income. In relation to Senator Shenton's comment about why the Council of Ministers was not initially supportive of the proposition for the carer strategy, it was not particularly thought through and worked out in detail. There now is a plan by the Minister for Health and Social Services to work through a healthcare strategy and it will be delivered and income will have to be found from somewhere. A comprehensive spending review is underway or shortly will become underway - which is what he asks for - in terms of Health spending, in terms of Education and Social Security and there are going to be some difficult choices that are going to have to be made. In relation to snide comments, well, I am sorry about that but - and I am saying absolutely the truth in relation to this - none of us on the Council of Ministers appreciated until a relatively short time ago the scale of issues that the Minister for Health and Social Services was dealing with. None of us did. The previous political individuals that have been responsible for Health, I think, share some responsibility. I hear Senator Perchard. He started some good work in relation to bringing the funding pressures to the attention of the Council of Ministers.

The Greffier of the States (in the Chair):

Let us not turn this into a political debate.

Senator P.F.C. Ozouf:

Exactly, but all I will say is there are unresolved issues and this proposition before the Assembly represents a catch-up that ought to have been made some time ago. It is difficult to say but we are

now getting to the real heart of the issues with Health spending and there are challenges. I am going to support it but I recognise the fact that this is not good financial management and we are, from a public point of view, going to have some explaining to do to the public when we finally tot up the amount of additional spending. The public do not want to see additional spending in terms of States spending, they do not like the taxation consequences for it but there is a clearly a catch-up in Health, which is what this proposition is about, but there are also some hard questions that Deputy Green raises which we are going to have to deal with in the comprehensive spending review. I intend to bring those answers to this Assembly with the Minister for Health and Social Services and then we will find out what happened in the last 10 years.

4.1.7 Deputy F.J. Hill of St. Martin:

I feel, again, we are having a gun held to our head, but it is all right, folks, it is going to come from the Council of Ministers so we can then cave in. Well, I am going to cave in. I was always going to cave in because I think we have got to spend this money. However, is it a false economy, as the Deputy of St. Mary has had to say? Are we, again, throwing money to solve a management problem rather than spending time dealing with the problem? That is the problem. Deal with it. You talk about staff morale. Of course their staff morale is low. They are frustrated. They just feel that things are going on and no one is taking any interest. Someone has to take some concern. Someone has got to do something about it. I am delighted to hear that the Chief Minister and, indeed, the Minister for Treasury and Resources have spent hours discussing the financial issues at the hospital. I wonder, did they spend any time looking at the suspension issues which is costing thousands or millions of pounds now **[Approbation]** not just hundreds of thousands, we know. Millions of pounds and what are they doing about it? Nothing. We now have 3 doctors suspended at the hospital. How much money are we going to spend to get that one sorted out? In fact, I gather the Chief Minister and the Minister for Treasury and Resources are members of the States Employment Board. So there we can be saving money right away by doing their job and doing something about it. I am going to support it and I hope Members will. I hope we will not spend too much time talking about this but can I make one plea? Get the simple things right and more complicated things will fall into place.

4.1.8 Deputy P.V.F. Le Claire of St. Helier:

I am pleased to hear that the Chief Minister has found his way to going to the hospital recently and looking at the issues and, again, in his speech, he makes that point that he has gone there to understand these issues and, more recently, gone back again to understand them more fully. The Minister for Treasury and Resources is now taking an active role in understanding those issues, as is one of the Assistant Ministers, Deputy Noel, in helping the Minister for Health and Social Services achieve these important objectives, one of which has been something that has been coming on the horizon for a number of years; the shortage of nurses. I have been informed somewhere where there may be a pool of nurses that has not been explored, and I will share that with the Minister for Health and Social Services- after this debate, and maybe perhaps that could be an area that they could look into. So then that really brings me back to the point: "Has this all been thoroughly thought through?" In defence of Senator Perchard and in defence of Senator Shenton, I was on Senator Shenton's Health Committee - that is the previous Senator Shenton - in 1999, 2000 and 2001 and we were considerably pressured at that time for all of the same reasons that we are pressured now and we were consistently failing to keep within budget and at risk of running over our budget and breaking the Jersey Finance Law. We were constantly sending Acts and notes and having debates with the Finance and Economics Committee of the day who were practically deaf to our appeals. I think the Vice President of the Finance and Economics Committee at that time was Senator Ozouf, I think the President at that time was the Chief Minister and I believe Senator Routier was in there as well. So when people talk about the failing of management at Health and when people talk about the failing of political responsibility at Health, I am sorry, it is not a failing of any political responsibility at Health; it is a failing of the States of Jersey to take onboard the

issues in a holistic way. We all share - me included - in the blame that lies rightfully at our feet for the poor investment and the lack of attention to our Health and Social Services industry and services in this Island over the last decade. I can speak for the last decade because I have experience of it. Possibly before, but certainly in the last 10 years, it was not just those involved with Health, as the Deputy of St. Martin would bear me out and Senator Le Main as well. We sat on the Health Committee pleading for money and we were ignored. These problems have come home to roost and I am sorry to say only now - because there is a Council of Ministers - are those same professionals and those same politicians that are now leading us asking us to sort out the issues. They were aware of them a long, long, long time ago.

4.1.9 Senator P.F. Routier:

I will be brief. This is a must do. We must support the Health and Social Services on a vital important facility for our Island. What I would ask is that perhaps some work would be done to ensure that the Social Services side of the budgeting is protected because we have suffered over years and years of funding being given to Health and Social Services and then to see it being spent and siphoned off into the Health acute service. I know it is very difficult for them when there are vital things that happen within the acute service but it is only to the detriment of Social Services and we have to deal with the previous debate in giving money to the Social Services side of things. So I would ask if it is possible that some work could be done to ensure that the Social Services' funds are kept within Social Services. The second point I would like to make is I am delighted that there is a partnership approach to funding some of these things with the Minister for Social Security and using the Health fund and I am also delighted to be able to comment that he has only been able to do that because the Health fund is in such a good state, even after the free prescriptions that have come about previously.

4.1.10 Deputy G.P. Southern of St. Helier:

Given the obvious and urgent need that I am aware of for increased funding in our Health Service, I will of course be supporting this amendment. However, I do so almost with a heavy heart as I look on page 5 of the amendment at the new list of savings proposals that have been imposed on a pro rata basis under a whole range of titles, some of which I have serious reservations about. As soon as I see "re-prioritisation" and "efficiencies", I think: "What is that?" That is management speak for reduction in services. By and large, it usually is, and I wonder to what extent that almost £1.4 million worth of externally imposed cuts in addition to those which have been sought within Health Service staff are in fact cuts in services effectively and are simply the least awful alternatives when the management has its arm twisted up its back and a Minister for Treasury and Resources insisting on cuts somewhere. Some of those issues look, to me, to be very dangerous. Then I examined this £900,000 transfer of primary care services to the H.I.E. (Health Insurance Exemption) fund in the Social Security Department and I do not believe the Minister for Social Security has spoken in this debate but I would like him to explain exactly what that means, given that we no longer have H.I.E. There are no free G.P. (General Practitioner) visits to anybody on the Island because there is no H.I.E. Presumably, the H.I.E. fund is sitting there waiting to do something else that is good and that is its use, but I would like an explanation of exactly what that money is being put to and what changes to the H.I.E. fund he will be bringing later in the year to enable that to be done. That seems to me an area that needs exploration. Furthermore, while it is very good to say that we are going to conduct a comprehensive spending review for 2011, the effect of that is, in 2011, to produce a further £1.75 million worth of cuts already decided. Again, to my mind, that sort of level of cut already decided before we have a review is again going to be, I believe, reductions in services. So, yes, something is being done but I believe the net effect will still be reduction in services on the Island. Of course, it is all very laudable to engage in an ambitious recruitment campaign to make sure that we get out of the dire straits that we are in with vacancy rates in nursing. However, I have to question the likely success of any such recruitment campaign, given the fact that we have just imposed a wage freeze on these hard-pressed staff. The fact is that one of

the first questions a potential nurse coming to this Island will ask is - and will ask of any Health Authority anywhere in the world but certainly in the U.K. - "What vacancy rates are you operating at?" Quite frankly, the answers that we have to give in terms of vacancy rates ... thank you, Senator Perchard for signalling me that I should hurry up. This is a Business Plan debate and most important in the Annual Plans. Leave me to finish please. The vacancy rates that they will be informed of in Jersey will result in them running away from Jersey and saying: "No way are we coming here because the workload and the stress levels will be impossible." Furthermore, the situation is - and I think the Deputy of St. Mary mentioned it briefly - that our over reliance on agency nurses was going through the ceiling and was costing a fortune and we find a solution to that. Effectively, we closed down a ward and dragged down the use of bank nurses to more reasonable levels simply by again reducing the number of beds available and therefore the requirement for nurses. It seems to me that I admire the words that the Minister for Health and Social Services can put around her marvellous campaign. However, I have serious doubts that it will be the success that she needs, given the situation and given the terms and conditions under which our nurses are working. It is an issue that we will be coming to re-address; the fact that, comparatively, with our rivals, we are having extreme problems recruiting and retaining nurses especially in the light of this wage freeze.

4.1.11 Senator J.L. Perchard:

Yesterday, the Chief Minister spoke about our excellent Health Service and I agree. It is and has been an excellent Health Service. It is a Health Service under immense financial pressure. It is a Health Service that has enjoyed the 2.6 per cent budget increases, with the exception of last year where there was a slight increase above that, but it is a Health Service that has been subject to double figure inflation when purchasing drugs, blood products and many imported specialist services and products from outside. So it is a Health Service that - taking a term out of Deputy Green's speech - has to have involved itself in some creative accounting. It has had little choice. It has had no choice. It has a responsibility to provide lifesaving medical care and it does that and it has a responsibility to do that. As a consequence, there has been some creative accounting. It has happened. It has had to happen. Senator Routier mentioned perhaps Social Services being underfunded. We are asking more from our nurses and medical professionals while we have been purchasing double figure inflated lifesaving and life extending drugs. We will have all had experience in some way or another of people who have enjoyed fantastic treatment at Jersey General Hospital; hugely expensive drugs and visits to the mainland for treatment. This Health Service is creaking. It is suffering terribly and I urge the new Minister and the Council of Ministers and the Treasury Minister who is now taking a close involvement in the department - and I welcome that - to look carefully at how we can find another funding stream. This is a little plaster over a very big wound. There is the need to fund a new funding stream for Health and Social Services. Deputy Gorst touched on it earlier. I fully support the initiative to have some social insurance scheme that is targeted at Health. It can become an issue of politics. We have the standard £160 million being voted to Health but if I am elected, I will campaign for a 0.5 per cent increase in the Health budget and knowing that it will go to the Health Department. This is a plaster. It must be supported. I get the impression people are supporting it but it is just the beginning of very serious funding requirements for the department.

4.1.12 Deputy A.E. Jeune:

I probably come from the same direction as Deputy Green. I am not totally convinced. I note some of this money is to increase the nursing staff complement but with the international problem of a shortage of nursing, it remains to be seen whether this can be overcome but we must ensure that the monies are ring-fenced for the purposes identified, and I would be grateful if the Chief Minister could confirm this in his summing up. Thank you.

4.1.13 Deputy I.J. Gorst:

I rise after the question was posed by Deputy Southern. I am grateful for the kind comments of my colleagues. However, perhaps I am not quite as amenable as they have tried to indicate. As I think we all agree and as we have discussed in an earlier debate, Health is facing increased funding pressures. Some of the services that they currently provide, they provide to G.P.s at no cost. I have given an undertaking that I would review whether some of those services are more appropriately funded from the Health Insurance Fund. It might be that Health would decide to charge a small amount for those services and I would consider whether that charge could be offset against monies in the Health Insurance Fund. I have given, therefore, a cautious commitment to consider that. I have said that it must go through a process and that process must be that I can see the benefit, that the Council of Ministers gives it approval and that it comes to this House for approval because it will require an amendment to the Health Insurance Fund. So I might have been portrayed as a knight in shining armour but that is not quite how I see myself. Deputy Southern also mentioned the H.I.E. It is my understanding - and I was not Minister at that time - that that was partly funded by the taxpayer and there may have been some funding also from the fund and not that it sits in a special fund for H.I.E. I hope that clarifies my position and the position of my department. Suffice to say that I will of course then be coming back with any changes and recommendations to this Assembly at a later date and it will be for Members to decide whether they agree that that is an appropriate use of the Health Insurance Fund.

4.1.14 Deputy E.J. Noel of St. Lawrence:

To the Deputy of St. Mary, I can comment that the research was done. It was not presented to us until the 2010 Business Plan was well underway. We are addressing the whole issues regarding the advice that we received concerning the pro rata cuts. Deputy Green has mentioned some valid concerns about what happens to the funds already allocated and that is exactly why we are doing a fundamental review of the spending using a clean sheet of paper upwards. Senator Shenton is correct that we failed to match the £1.1 million to additional savings. In the timeframe that we had, it just simply was not possible to do without having a significant impairment to the services already being provided. The Deputy of St. Martin can have our assurances that we are tackling the issues. The suspension issues are not relevant here. They are being addressed by S.E.B. (States Employment Board). As for Deputy Le Claire, we welcome any potential new sources of nurses that he may have and to recap on one of Deputy Green's further points, I have had communications from the Director of Nursing and since the summer of 2006, no nursing posts have been removed to cover other costs bases. In relation to some comments made by Senator Routier, I am willing to give my assurances that the Social Services budget allocation within Health and Social Services will be ring-fenced. To Deputy Southern, I can hand on heart say that the services will not be adversely affected by the efficiency savings and I am happy to give him a detailed breakdown of what those efficiency savings mean. This list has already been given to the unions concerned and they are, as far as I am aware, happy with what has been proposed. With regards to Jersey remaining competitive within the worldwide nursing market, that is exactly why we need this additional funding so we can keep those new nurses. I agree with Senator Perchard that creative accounting treats the symptoms and not the cause, hence the need for a fundamental spending review and then that review needs to be matched against appropriate funding streams. I can give Deputy Jeune assurances that the additional funds raised by this amendment will be used purely for what is stated and it just leaves me to finally thank the Ministerial team at Social Security for their continued support. Thank you.

Deputy I.J. Gorst:

Sorry, I ought to have started my speech by confirming that I know that Members are aware that my wife is indeed a nurse at the hospital. Thank you.

Deputy A.E. Jeune:

The information that the Deputy has offered to give to Deputy Southern, can he circulate it to all Members please? Thank you.

4.1.15 Senator S. Syvret:

I will be supporting this proposition, although I echo at least some of the views expressed by other speakers in that there are issues that need addressing in Health and Social Services. We do not have any choice I think other than to make this funding available at the present time. But it is clear to me that the organisation does in fact need a fundamental review and a complete restructuring, not only of the organisation itself in terms of how it is managed but we need a fundamental re-think of the entire way we contemplate health and social care in the Island and how we fund it. I must agree with the comments made by Senator Shenton. Senator Ozouf's, frankly, grossly inaccurate and petty point scoring at the Institute of Directors hardly equates to responsible or frank statesmanship, I would suggest. I have distributed to all Members the 10-page critique. I wrote on the New Directions strategy in March 2007 and Members appear to have found it very helpful and a very useful document. There are a lot of ideas in it, a lot of addressing of the issues that were not addressed in the first draft of the New Directions strategy and I produced that myself just by sitting down and thinking about the issues, and I am a carpenter. We have a department of civil servants across several departments who cost millions and millions of pounds combined each year who not only, after about 3 or 4 years worth of work to the States, have still not succeeded in producing the detailed strategic proposals that we need to be contemplating, that we should in fact have addressed several years ago in order to secure proper health and social care for this community into the future. One of the things that the newer Members will learn about politics is that it is not always possible to be popular. Sometimes one has to exhibit leadership and face some unpleasant issues because that is what is in the best interests of the community. The classic example of course, which is always cited, was the introduction of the Social Security system all those decades ago. It was massively, massively unpopular at the time but, oh dear, what a mess we would be in if we had not had that. The Chief Minister just remarked: "Like G.S.T. (Goods and Services Tax)." [Laughter]

The Greffier of the States (in the Chair):

Let us not go down that route, Senator. [Laughter]

Senator S. Syvret:

Well, we are talking about money and I would remind the Chief Minister that I never had any kind of in principle opposition personally to sales taxes. My main concern was that there should have been exemptions to it for life's essentials, so his remark is misdirected in fact when it comes to being targeted at me. But the fact is the total tax take of all kinds from the economy in Jersey is extremely very low and if we are going to enjoy into the future not only the same kind of standards of healthcare that we get at the moment but in fact have things like a continuing care scheme properly funded and additional funding for the things we are going to be investing in like more staff, to provide more attractive terms and conditions, like capital renewal of the system, like training for people, like support for people in the community who care for those with conditions, we are going to have to pay for that. The money is going to have to come from somewhere and I can state this much as a stone fact. There is no existing source of funding that it can come from. There is no huge colossal wastage that people might imagine somewhere else in the States system where the money could just be taken from and diverted at things like a proper fully functioning and integrated Health and Social Care Strategy. If we want to do it properly, we are going to have to pay for it. That is not going to be popular with people in the community but it is one of those things that we have to drive forward if we are going to exhibit some leadership. I was pleased to hear that the Minister for Social Security is attracted to the idea, as I was, in this critique of introducing a European style social insurance system. That would pay not only for the continuing care scheme that we have long-awaited but also, in all probability, provide a direct additional funding stream for secondary care, as well as tertiary care and indeed primary care as well quite

possibly. Now what the legal structure of the scheme would be and what the detail may be, that remains to be worked out but there is no escaping the fact that we have got to introduce such a funding mechanism and after 8 years I think of talking about it, the time, I would suggest, has come to end all the prevarication and the awaiting of reports and such and just to get some propositions before this Assembly in the coming months whereby we make the decisions and put the necessary decisions and the strategy in place so that we do in fact succeed in planning in the longer term, as we should do, despite the important strategic consideration rather than this kind of fire fighting that we see today.

The Greffier of the States (in the Chair):

I call on the Chief Minister to reply.

4.1.16 Senator T.A. Le Sueur:

I do not intend to respond in detail to every Member who has spoken to day because I think that there has been broad consensus of approval for supporting the need for giving Health adequate funding and that is nothing new. I would point out that, over recent years, we have faced similar Business Plan debates and consistently a greater proportion of money has been directed towards Health and Social Services, quite rightly, in view of the additional pressures including external pressures that they face. But I think what is becoming increasingly clear to me, clear to the Minister for Health and Social Services and clear to the Minister for Treasury and Resources and, I am pleased to say, clear to Members of this House is the fact that what we need is a comprehensive look at the whole of healthcare and healthcare funding. That, I know, is already underway at the same time that the Minister for Treasury and Resources is undertaking a separate review into our funding requirements for the future, not just for Health but in total. So this proposition, as Senator Perchard identifies, is indeed something of a sticking plaster until we can find a clear way forward. Nonetheless, even a sticking plaster is necessary at this stage rather than allowing the situation to fail completely and so I make no apology for bringing this proposition and asking for a further £1.1 million even though we have got this ongoing review. General comments have mainly been dealt with by the Assistant Minister for Health and Social Services - in his remarks. The Deputy of St. Mary is not here at the moment but he asked about the rise in admissions and I gather that there has been a significant rise in admissions this year; more than was normal. I cannot understand why that should be. Maybe we are getting less healthy or maybe we are getting more efficient and getting a bigger throughput. I certainly do not want to go into discussions about personalities and previous Ministers or what may or may not have been done. What I am anxious about here is the service to the patients and the service we need to provide to those patients by our nursing staff and this money is directed to help the nursing staff in order that they can help the patients. Some people question whether this is in fact a false economy. I do not believe it is an economy. I believe it is an essential investment at this stage in order to maintain a transition, if you like, until we can have a proper review of the Health Department, a review which may - but I hope will not - extend to New Directions but I think this is something which needs to be looked at by itself. Deputy Le Claire made a suggestion that the Treasury in the past has not looked sympathetically at Health funding and rejected requests for increases. I think the figures belie that. There have been significant increases in Health funding but that has been necessary simply to stand still, so I make no apology for saying that we have given those increases. Nonetheless, we still have an ongoing problem and it is a problem which will no doubt ultimately need a more radical approach than simply an increase here and an ongoing increase here so, in that respect, Senator Syvret is quite right. In fact, I can see no alternative but a new funding stream. If that is the case, then clearly it has to be looked at against some of the other funding requirements that the Island is facing in terms of other services besides Health. That is a far wider issue. This amendment today seeks at least to put Health in a stable position for the next 12 months. I say no more than "stable" and, on that basis, I am very pleased to maintain this amendment. Since it seems to be the fashion, Sir, I will ask for the appel.

The Greffier of the States (in the Chair):

Very well. The vote is therefore pour or against the Nineteenth Amendment in the name of the Chief Minister. When Members are in their designated seats, the Greffier will open the voting.

POUR: 43		CONTRE: 1		ABSTAIN: 0
Senator S. Syvret		Deputy R.C. Duhamel (S)		
Senator T.A. Le Sueur				
Senator P.F. Routier				
Senator P.F.C. Ozouf				
Senator T.J. Le Main				
Senator B.E. Shenton				
Senator J.L. Perchard				
Senator A. Breckon				
Senator S.C. Ferguson				
Senator A.J.D. Maclean				
Connétable of Trinity				
Connétable of Grouville				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Saviour				
Connétable of St. Clement				
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Mary				
Deputy of St. Martin				
Deputy R.G. Le Hérisier (S)				
Deputy J.B. Fox (H)				
Deputy G.P. Southern (H)				
Deputy of St. Ouen				
Deputy of Grouville				
Deputy of St. Peter				
Deputy J.A. Hilton (H)				
Deputy P.V.F. Le Claire (H)				
Deputy J.A.N. Le Fondré (L)				

Deputy of Trinity				
Deputy S.S.P.A. Power (B)				
Deputy S. Pitman (H)				
Deputy K.C. Lewis (S)				
Deputy I.J. Gorst (C)				
Deputy of St. John				
Deputy A.E. Jeune (B)				
Deputy A.T. Dupré (C)				
Deputy E.J. Noel (L)				
Deputy M.R. Higgins (H)				
Deputy A.K.F. Green (H)				
Deputy D. De Sousa (H)				
Deputy J.M. Maçon (S)				

The Greffier of the States (in the Chair):

Very well. The next amendment listed was in the name of the Education and Home Affairs Scrutiny Panel but, following the decision on the earlier amendment, Deputy, that has fallen away because the funding is not needed because the States agreed ...

Deputy R.G. Le Hérisier of St. Saviour:

Can I just say, Sir, that we were very impressed that the Minister for Home Affairs accepted it in spirit, if not in fact. [Laughter]

5. Draft Annual Business Plan 2010 (P.117/2009): tenth amendment (P.117/2009 Amd.(10))

The Greffier of the States (in the Chair):

So, therefore, we come to the Tenth Amendment in the name of Deputy Shona Pitman. Deputy, I think before the States are able to debate your amendment, you must formally propose that the States agreed to lift Standing Orders on declaration of interest because every Member theoretically has a direct pecuniary interest in this matter. Do you make that proposition?

Deputy S. Pitman of St. Helier:

Yes, Sir.

The Greffier of the States (in the Chair):

Are Members content to suspend Standing Orders to enable the amendment to be proposed? Very well, the amendment will be read by the Greffier.

The Assistant Greffier of the States:

Page 3, paragraph (b) after the words “withdrawn from the consolidated fund in 2010”, insert the words “accept that the net revenue expenditure of the States Assembly and its services shall be decreased by £11,300 through the cessation of free lunches to States Members on States meeting days and the cessation of free sandwich lunches during all meetings of Scrutiny Panels, the Public Accounts Committee and the Privileges and Procedures Committee.”

5.1 Deputy S. Pitman:

We come to the most contentious debate of this Business Plan, which I feel privileged to be bringing, as I know I am going to be very popular after this has been voted through. The issue of States lunches first arose with what was the House Committee in 1990 as there were calls from States Members for States days to be shortened. It was hoped that by providing States Members with lunch within a close proximity of the Chamber that they would re-convene business earlier. It was considered that half an hour should be saved or could be saved. Having tried buffet lunches, sandwich lunches, vegetarian lunches, which was requested by Senator Syvret, and 3-course lunches and at different venues - and I must add here that Members were asked to make contributions to the cost of their food - after reports, propositions and numerous meetings, it was in the year 2000 - that was 10 years later - that the House Committee concluded that trying to cut half an hour off States Members' lunches was pointless. It was an utter waste of time. Why they reached this decision, I do not know, but I would suggest that Members needed the full hour and a half to eat their 3-course lunches that they opted. So why do I bring this very minor amendment to the Business Plan? Out of principle. The people of the Island have heard so much of late from us about the need for Government to tighten its belt that we have to make efficiency savings more now than ever in this time of economic downturn. So what do we do? We target vulnerable people, using patient transport and those that we use in the Grand Vaux Youth Family Centre. Thankfully the Minister for Housing listened to the outrage over this and stopped it. We target our community by putting off yet again, and for how many more years, the Millennium Town Park. We target our small but traditional agriculture and tourism industries, which have a great potential to expand. We target our 6,500 valued States workers, so-called by the Council of Ministers, by giving them what is effectively a pay cut. I could go on and on. While our ears are pained after 3 hours of debate and our tummies ache with food deprivation, we, the majority of this House, are happy in the knowledge that we regularly have a 3-course lunch to look forward to, while people are left with the consequences of budget cuts.

Senator S.C. Ferguson:

Correction. It is not a 3-course lunch.

The Greffier of the States (in the Chair):

Let us not have a ...

Deputy S. Pitman:

Sometimes, this is why I did say "regularly". There are sandwich lunches but you have a dinner, you have cheese, you have fruit, you have dessert. Does it really matter, the definition? You have lunch which is paid for you. I have to ask: what message are we sending out to the public? What confidence do Islanders have in this Government if we do not practise what we preach? Colleagues and my J.D.A. (Jersey Democratic Alliance) comrade, Deputy Southern, may say that it is trivial to take away free lunches. I would say that it is taking away a "nice to have", as the Chief Minister says. But Members need not worry that I am trying to take away their lunches. All they need to do is pay for it. No business needs to lose out on a contract, no redundancies or lowering of staff morale, as I am sure those who feed and serve us during the lunch hour are grateful for the privilege. Just States Members needing to pay a modest sum to keep what they already enjoy. I make this amendment and I do hope that it is a quick debate. Thank you.

The Greffier of the States (in the Chair):

Is the amendment seconded? **[Seconded]**

5.1.1 Connétable P.F.M. Hanning of St. Saviour:

We have got a long business list in front of us and I think this is a bit of a nonsense. I suggest the proposer reads her own proposition. She has just said she does not want to stop lunches. She wants people to pay for them. She is asking for the cessation of lunches.

The Greffier of the States (in the Chair):

Free lunches.

The Connétable of St. Saviour:

Free lunches. She is not asking for them to be paid. They will be stopped. It is quite simple that ...

The Greffier of the States (in the Chair):

Free lunches will be stopped.

The Connétable of St. Saviour:

That free lunches will be stopped, yes. There is no mechanism for paying proposed in this and unless we have the detail, as she has been the first one to ask, in previous propositions, this is a nonsense. If we are going to meetings, then I think lunches should be provided. I personally have to take medication at lunchtime and if I do not have something to eat then I will not be going to the briefings. Now, whether I pay for them or not, I am not worried. I am quite happy to pay. But the meals have to be there. I think what we are doing here is just messing about with the system and I think we are wasting time.

5.1.2 The Connétable of St. John:

Much of what I was going to say has already been said. I do not partake of the lunches downstairs. I think I have had probably about 5 in the 3 years I have been here. But I do take exception if one is expected to work through lunch, which we do work through lunch at many, many Scrutiny meetings. I do not believe that that should be stopped. I wish this amendment was split into 2 parts because one part I can accept; the other part I cannot.

5.1.3 Senator S.C. Ferguson:

In keeping with the spirit of this, I give notice to the House that I will bring a proposition requiring States Members to pay for their parking.

5.1.4 Connétable D.J. Murphy of Grouville:

I am sorry. I am trying not to be repetitive but I did have a word with Deputy Pitman this morning. I said that I did back her sentiments wholly and completely, except, of course, for the fact that, if you are working, I think you deserve a lunch. I was going to propose a fee for the car parking as well. But that has all been done now.

5.1.5 Deputy C.F. Labey of Grouville:

I would just like to ask the proposer: when she is asking for the free sandwich lunches for the Public Accounts Committee, Privileges and Procedures and Scrutiny Panels to be stopped, why she has not included the Council of Ministers lunches in that list?

The Greffier of the States (in the Chair):

A separate budget, I think is the answer, Deputy.

Deputy J.M. Maçon of St. Saviour:

The Deputy of Grouville raised my point.

5.1.6 Deputy M. Tadier:

I do thank Deputy Shona Pitman for bringing this amendment. Certainly it does give us food for thought and of course none of us want to make a meal of this amendment. But I have to say that some of the comments I have heard from certain people do take the biscuit. But biscuits are allowed, so maybe that is why the last one did not get quite such a groan. Seriously, though, we should remind ourselves why we have been in this position. This is a necessary consequence of the

T.V. (television) licences for over-75s, which were free. That is why we have to do this. It is a logical consequence. I hope we will be hearing Senator Le Main speak on this in favour of the amendment, before lunch, preferably, so that we do not have another diatribe as we may have had yesterday. The reason being is that Senator Le Main spoke out in favour of it, and I know "The Legend" up there in the box has referred to it in his column in the newspaper. Basically, one of the arguments we heard against free T.V. licences for all over-75s was the fact that it was not means tested. The counter-argument was put therefore that free lunches for States Members are not means tested. So we were asking whether that was valid or not. They are not means tested, so whether you are a millionaire or you are not, you are allowed to have a free lunch. There are pros and cons but we were told it is not right to give a millionaire a free T.V. licence even though they paid for it via taxes, or whatever, even though they contribute to society. So we must be consistent. This is a logical consequence of that. So we have already decided on the principle. Now, I do have some sympathy for the panel lunches. I know that certain people do have meetings and we do work through lunches. That is probably something which is not often seen by the public. Many of us go without a full lunch break and sandwiches are put on. But I think that is really a side issue because that could be taken by the Scrutiny budget. If Scrutiny are calling meetings at lunchtime ...

The Greffier of the States (in the Chair):

To avoid you misleading the House, Deputy, it would not be possible because the Scrutiny budget is part of this budget. The money would be cut and so the States would send a very clear message they did not want that to be funded.

Deputy M. Tadier:

I take that point. I think that is something which can be dealt with, though. As has been pointed out, there is nothing to stop us walking across the road to get a sandwich if people feel really strongly about not wanting to work through lunchtimes just because they do not get free sandwiches. That might be a sad thing. But that is a call we have to make. There may well be that we have to take 10 minutes to get a sandwich and then we just simply have 10 minutes less where we have to do that work. But that is a call for Members to make. I find the comments about medication slightly confusing from the Connétable St. Saviour, although I do have sympathy with him. I have to say that my own brother is diabetic and although I think twice about using personal examples, often that is all we can use. We can only speak from personal experience and when we cannot we have to use examples of people who are close to us. He is diabetic and before every meal he has to inject himself. But he works for the States on the road. He certainly does not get a free lunch. He has to take a packed lunch with him to work. He does not have the privilege of having a 3 or 2-course lunch. I personally think it is a 3-course lunch because Members are able to take 3. It is not policed. But these are the kind of petty squabbles we are getting involved in here. He makes sure that he has got his food. He injects himself with the insulin and he does not ask the taxpayer to pay for it. He is also quite capable of going and getting his own food if he does not have a lunchbox. So I think that is a spurious argument. I think this just shows the complete double standards that we have been living by. Everyone seems to agree: they say they have got no problems with paying for their lunches. The argument that lunchtime is a good time for people to socialise is a valid one, but, of course, it does not mean we cannot pay for our lunches like other people do. Go out and get your sandwiches, bring your lunchbox in and then sit together if you want to in there. Do not sit together if you do not. Well, let us just look at the double standards that this would be sending out if we did not support this amendment. We know that we voted for a pay freeze for States workers. It is a slightly different issue. Not all of us did but the States did as whole. That is consensus politics for you. We voted for the pay reduction because, in fact, we know that is what it is. They have had a reduction in pay. They do not get free lunches themselves. To add insult to injury, they are told that if they dare to attend the rally which has been planned and which was described in yesterday's paper, that they would face disciplinary action. I would say there is safety in numbers and that that is completely unacceptable, that they should just attend.

They cannot discipline all of them. I will be making that statement to the press later on today, if they wish to indulge me. But to get back to the point, we must support this. We have talked about tightening our belts, which is perhaps appropriate because, in fact, we are loosening our belts, both literally and figuratively. I think that Deputy Shona Pitman is to be commended for this amendment and we should all support it without any more stupid comments. Otherwise we will simply be feeding the puns and all sorts that will come out in the newspaper.

5.1.7 Deputy J.A.N. Le Fondré of St. Lawrence:

I will try and be constructive, I think, on the debate, although I will have to say, slightly jokingly, I was very disappointed in the remarks from Senator Ferguson and the Connétable of Grouville, principally because I had exactly the same point down and they stole my thunder. But what I was going to say is, I came across an article in an audit publication to which I subscribe; and it is very sadly occasionally. It talks about the findings that an American commission called Treadway, which was a U.S. commission sponsored by the main accounting body to look into corporate governance and business ethics and all that type of stuff. The article set out to remind readers that one of the key findings of the day - and it was an act in the late 1980s - was about tone at the top. This was elaborated upon by stating that the tone set by top management is the most important factor contributing to the integrity of the financial process. There is a relevance here. If the tone set by management is lax, if internal procedures are disregarded, then inappropriate behaviour results, and, basically, that leads all the way down. So, if you apply that to costs control, naturally, although it makes us look at little bit embarrassed occasionally, to an extent we do not have much of a choice. But if we are serious about cost control - and we should be - then we need to set the example. If we do not worry about the odd £2,000 here, the odd £11,300 here, or the odd £100,000 elsewhere, then why should we expect our officers to do what we do not? The tone at the top is very important. It is also about strategic and well-considered decisions, not quick political fixes. Now, what I am going on about is if we are going to be seen to be leading the way, then there obviously needs to be follow-up to that as well. Therefore I would have to say that, firstly, I am quite attracted by this sudden hawkishness by our members of the J.D.A., in a few days have been suggesting that part of our services, our overweight of employees - I think they have made reference to the youth service - it mentioned efficiencies, the number of times. Now, according to the *Jersey Evening Post*, I believe they are aligning themselves with the U.K. Conservative Party. They question why we are not truly targeting ... they are targeting the truly unnecessary police cuts. That is absolutely right.

The Deputy of St. Mary:

On a little point of clarification, does the Deputy believe everything he reads in the paper?

Deputy J.A.N. Le Fondré:

No more than the Deputy of St. Mary, I am sure. So then, if we are going to be saying we should be looking at these type of expenses, well, something that came to mind ... and we have had parking, and that leads elsewhere. What about things like canteens? I do not mean ones for school children. I think we do provide these services elsewhere within the States for adult employees. Now, what I am saying is - it is set by the example of the Jersey Democratic Alliance - we should be looking at those things. If they subsidised, and that includes do they get free locations of rent and things like that, we should be looking at those. That, in these terms, if you are talking about an extra cancer nurse or a canteen, where is your choice? Where is your priority? That is what we are trying to get to. We are trying to get to a point of considering what our priorities are. That is, I think, where we should take a degree of inspiration from this idea, and, of course, give credit to where credit is due, because I am sure they will not be a smooth path, necessarily. What I would just say ... and I have got absolutely no problem with paying for the meal. At the end of the day we are talking, I think it is £12 per month, remember. It is great politics; it is great headline politics. The point, as far as I have understood, was to get Members, given the way we operate, to

get them in an almost forced way, to sit together and to talk to each other. Everybody is talking about funds. It is not the oil of the machinery of the Government but perhaps it is the mayonnaise that feeds the machinery of government. I think that is enough. So I think it is worthwhile supporting but if we use this as an example and look elsewhere, that is why it is worth supporting. If it is just to save £12 a month each, well, that is fine; it is great headlining and it is great politics. It is not going to do a huge amount.

5.1.8 Deputy G.P. Southern:

I thought I was depressed earlier in the week. But, by God, I am pretty depressed now. I feel entirely depressed by the prospect of debating this issue at all. I just examine what is going to happen today. We have volunteered to reduce our lunch hour by an hour. During that hour I will be entirely occupied with a Scrutiny Panel deciding on questions for a meeting that I am doing tomorrow when I am supposed to be here as well. I will be in 2 places at once. Fine. But overall, let us look at the principles. Members will be aware that time and time again I try and defend the terms of conditions of workers on the Island in many ways. We are workers, a simple thing to grasp. We are paid workers now but for how much longer if we start on this slippery slope, I do not know. Free lunches, car parking, £1,000 given up from our salaries. We are already underpaid. Our terms and conditions are good, granted. But no trade unionist worth his salt would voluntarily give up negotiated rights and terms and conditions. If I am to be asked to work through my lunch hour then I think it is absolutely appropriate that I should be fed. I do not have a problem with that. When I look at my previous career as a teacher, now, we had big arguments over lunch time duties. The minimum condition laid down was that at least half an hour in any teacher's lunch was given without responsibility. They did not have to be walking round the yard; they did not have to be looking after kids. It was non-contact time. That was the precious bit of non-contact time. Today I will have no non-contact time equivalent. I will be working straight through my lunch hour. I think it is absolutely only reasonable that I should have some sandwiches to enable me to do that and do 2 things at once: eat and talk, carefully, of course, because otherwise that would be very rude, would it not?

5.1.9 Deputy A.T. Dupre of St. Clement:

I must admit I was somewhat surprised to find that lunch was provided when I first entered the States, and is suggested we pay for the privilege of having it ready for us when we ended our morning session. I was informed that it was originally brought in so that Members can meet and talk informally about many issues, and this continues. I hope therefore that this does carry on, albeit, paid for by ourselves.

5.1.10 Senator B.E. Shenton:

Just very briefly, I did check with our Guernsey colleagues to see whether they had their lunches paid for on States sitting days and I can tell you categorically that they do not have their lunches paid for, and, in fact, they were very surprised that we did in Jersey have lunches paid for, for States Members.

5.1.11 Deputy T.M. Pitman:

I have to say that I was really looking forward to this debate. It might not be a big issue but what it will highlight, I think, is very telling for the public. I have learnt one thing and that is not to have quick chats in the gentlemen's with the Minister for Home Affairs and Deputy Tadier and share your jokes because if you do not speak first they get nicked. But there we go. No honour among politicians. But, as I say, I was looking forward to it because it does throw up some interesting issues. To take a humorous but still serious point, I really look forward to hearing some of what we call "the establishment" people speak because time and time again - and we had a good example with Deputy Noel yesterday - they get on their high horse. The champions that we are about cost cutting, cutting out all that is superfluous, all that is frivolous and nice to have. When I hear today,

I would really expect to see the likes of the Chief Minister and the Minister for Treasury and Resources, Deputy Noel, really jumping up and pushing all the lefties off those overturned tables in the Winter Palace. This must be done. It really must. But, no, I have to say the Constable of St. Saviour, who I have got every respect for, but I find his arguments incredible. Double-standards. I worked for education and I have to say I never was given free lunch. It was not part of my job. Why do we need to have free lunch? I fully accept what Deputy Southern says, and I have to say, if there is one person who I would bend the rule and give a free lunch to for the way he has been treated this year, it would be Deputy Southern. But that is by the by. Put this in context. We listen on the radio sometimes and I too am amazed at what people do criticise politicians for. I have to say that before Deputy S. Pitman was elected, even though I followed politics, I was not aware of all the circumstances, and it has opened my eyes to many things. I heard the other day we were being criticised for States Members having computers. Well, I have never heard of anyone going into private business or whatever and then being told to bring your own computer. Some things are just plain silly. Senator Ferguson raises the issue of parking. Well, where I worked I did have a parking place. Was that a luxury? Probably because there was no public parking I could have used for perhaps a mile and a half, 2 miles and the realities of my job, I had to leave those premises 3 or 4 times a day and go to other facilities. But there we go. Maybe if we got rid of parking it would be good. We would all be on our bikes. Because there is one thing that we can agree: left, right, centre and Green, it is that politicians tend to get fat. I am certainly suffering. I notice the proposer does not drive. So there we go. But it is about the message that we are sending out. As someone said - and I am sorry I cannot remember who it was - but it is £11,300. But this is a natural conclusion of the route we are going down. If we are going to target things like patient transport services and really important things, like the family centre at Grand Vaux, so frivolously, because let us remember that they were never even visited to find out what work was done before that decision was initially announced. That is how frivolous the approach was from the Council of Ministers. That fact should not be lost on people because these Councils should surely be serious. I am sure the Minister for Treasury and Resources would echo that. He spoke very, very well, as I said, shocking everyone by commending him, but I have no problem with that. But this is the natural culmination of where we are going. The proposer is quite right. She is not saying that lunches have to cease. She is just saying that free lunches have to cease. I do not ever take my lunch here. I have eaten sandwich lunches on occasions when there has been a vegetarian option, when we have been going through on Scrutiny. But I view that as a nice to have. I think the teas, coffees, water, biscuits we get are quite adequate. I would not mind so much if we came to some sort of a different interpretation where perhaps sandwiches were provided by people we brought in. But we certainly do not need them. I go across the way every day, across to Royal Square, and I know there is probably some regulation that says we must not do advertising. So I will not mention the café's name. It is excellent food. It is inexpensive. I am quite happy. I have always put my hand in my pocket to do that. I have never worked out how much it costs a month, I must admit. But the other reason, some people talk about the benefit of working through lunch and chatting to each other and maybe for some people that is genuine. Maybe it is. I have to say, in many instances it surely cannot be and I do not believe it can for a minute. The reason I do not have my lunch here is ... because certainly yesterday is a really good example. After hours, sometimes, listening to being attacked, abused for whatever, there are some people I do not want to sit there and take my lunch with. That is a fact. That is no disrespect to other people. There are other people I like, I enjoy their company, *et cetera*. It is my choice to go over there to the café and take my lunch. The link that Deputy Le Fondré makes, I think, is quite bizarre. But then again, very clever politicking. I must congratulate him on that. Excellent. He drew attention to a Conservative Party initiative. Well, I would just say, it just shows the growing influence of the J.D.A. where we are now influencing ... Indeed, I think Deputy Southern has departed to go and attend a conference on sandwich filling with Mr. Cameron this very day. I think we have got to support this. But I hope some of you do not because I just want to see it in the paper. I want to see your double-standards, sorry, the House's double-standards. I really do want to see it. Deputy Southern is right

in many ways. It is trivial. Yet it is not, is it? This is where we are going to end. It is going to be quite interesting to see Senator Ferguson's proposition on parking, very interesting. I have got no problem with that. Unlike some, I did not come into politics for money, despite the propaganda put out by some elements of the media. I took a pay cut to come here. I gave up a pension. So I have no problem. This has got to be supported if we are not going to look completely false and double-standard in our actions. I commend the proposer for bringing it. Yes, the Constable of St. John, I think it was, had a good point. It could have been split, possibly, into 2, and then he could have supported one and not the other. But there we go. He has had the chance to amend the amendment. I know it is a clumsy, cluttered process, as I found out when I amended an amendment. But there we go. We hear this so often, do we not, criticisms of why people cannot support, yet they never take up the opportunity to put those thoughts into actions. I am going to support it. It is not hard for me, as a leftie liberal, or is it? I am meant to support everything that is about spend, spend, spend, according to Deputy Noel. So it is time to put the true colours now into the mast, is it not, guys and ladies?

The Greffier of the States (in the Chair):

I do not like "guys and ladies" in this place, Deputy.

5.1.12 Deputy J.B. Fox of St. Helier:

I want you to excuse my first 2 words "piecemeal" because it has really got nothing to do with the subject matter. It is just the States seem to frequently go down this road of piecemeal. I am a Member of P.P.C. and we have recently brought the constitutional review for about what seems like the fifth time in about twice as many years. It all got thrown out and we will continue with having piecemeal until now and eternity, probably, on that subject. This is the same type of piecemeal. The piecemeal is that people bring up about car parking, people bring up about computers, people bring up about all sorts of facilities, wanting ... at the moment we are talking about wanting States Members' facilities for research, for having all sorts of different and expensive facilities. That is piecemeal. To me, these things should not be brought up as individual piecemeal. They should be brought up in an organised way with a request that this be taken to the P.P.C. for that committee to discuss it, to evaluate, and report back to the States. But I would remind this House that we have pay conditions, like most others that have been brought up. We have an independent review body that does this for us so that we are not seen to be making our own rules and our remuneration, *et cetera*. I would suggest to you that that would be another area that we could have had that the P.P.C. would consider it with a review for it being included in the review body along with whatever other things we want to put in, whether it is car parking or computers or anything else, and that to be done at an appropriate time in an organised professional way. For that reason I shall not be voting for this proposition.

5.1.13 Deputy E.J. Noel:

I am delighted to follow Deputy Trevor Pitman. I am very happy to vote in favour of this amendment, as it sets a precedent. I hope all those voting for this amendment will also vote in the future. Let us take this principle throughout the States. In addition, I share the same feelings as Senator Ferguson that the same precedent can be applied to the free parking that States Members currently have. Again, this principle can be taken throughout the States as a whole and utilise the benefits in the kind of rules that the Comptroller of Income Tax implements. So I will happily vote in favour but I expect the support of Members in the future to take this precedent forward.

5.1.14 Connétable J.M. Refault of St. Peter:

Surprisingly, I thought long and hard about this proposition. I really quite struggled with it when it first arrived on my desk at home and wondered what it was doing there. A lot has already been said that I wanted to say about this proposition this morning. I do feel that it does set a precedent and I think that Deputy Le Fondré of St. Lawrence has brought forward some very good suggestions. If

we really are motivated to show leadership and make real cuts in the States' budget, then, yes, let us look at all the other examples where there are "nice to haves" and let us look at those and see if we can withdraw those to make some real impact for the benefit of the Island as a whole. What has really frustrated me with this amendment is the fact that if Deputy Shona Pitman had come to me - and I am sure many other Members - on the day she was about to lodge this and said: "What do you think?" I would have gone: "Certainly, Shona. I am absolutely delighted that you are bringing this forward." I do not have a problem with paying for lunch because I quite frequently choose to go out and buy my lunch anyway. So it makes no difference to me whether we pay for it or not and that does show a good example. My problem with this proposition is we are here to debate matters of Island importance; about people who are out of work, about structural deficits. Quite frankly, this, for me, fits the 4 Ps. I call this: petty, puerile, little politics ... not politics; I would have got my Ps wrong. It should not be brought on the agenda of this House. This could have been done by a round robin among Members and I will not vote either for or against as a matter of principle.

5.1.15 Senator S. Syvret:

I fear that the Assembly is in danger of making a collective fool of itself if we spend, frankly, any great longer time on this. We have already discussed today just how desperately pressed for time we are and just how difficult it is going to be to complete the Business Plan in any event. If we spend, frankly, another hour, 2 hours or whatever discussing States Members lunches, we will, indeed, look absurd. So what, then, do we do with the proposition? Well, as much as it may not be popular with certain Members of this Assembly, the fact is, the proposer of the amendment has got you. You have been nailed with this and if you do not vote for it, Members and those who traditionally adopt the hawkish attitude will be made to look ridiculous. So one has to simply vote for the proposition and anyone who does not will make themselves look absurd. I will just remind Members that the principle, in response to the last speaker, is a serious matter. It may be a small sum of money but the principle that has motivated this amendment - and I would particularly draw this to the attention of people like Deputy Le Fondré and Senator Ferguson and others - was the principle of means testing. We have said on many different occasions in this Assembly that our policy, whether it be T.V. licences or income support or a whole range of other issues, will be means tested. We do not want to give benefits to people that do not really need it. We do not want to give benefits to those that can afford to pay for it themselves. So that is the principle that we should apply in respect of States Members provision. So I will certainly be voting in favour of this proposition, and, if, indeed, it is necessary, as Senator Ferguson or Deputy Le Fondré or others have suggested, to take the axe to other aspects of States Members remuneration in terms and conditions, again, indeed, to do that will be absolutely fine. I will have no problem at all with that because I will support it on the basis of a means testing policy. So multi-millionaires like ...

The Greffier of the States (in the Chair):

Do not name them.

Senator S. Syvret:

Multi-millionaires like some Members of this Assembly would indeed have to pay for things that those of us who are poor do get provided because we cannot afford it. So that would be the consistent application of the means testing principle that the States is so keen to apply and enforce upon the population at large.

5.1.16 Senator T.J. Le Main:

I was not going to speak, only after the last speaker ... I never eat lunches in there. I go home, normally, and I can count on one hand in all the years I have been a Member the times I have eaten free lunches and I am not on the Scrutiny Panels at all. But I have great sympathy for those like Deputy Southern who were saying that they have to work over a lunch time, very urgently. There are sandwiches. But I very much support what Deputy Fox has been saying, and the Constable of

St. Peter. I will not be supporting this amendment. I believe that if there has to be any real meal changes, real changes across the board, they should be done by the P.P.C. and today we are just making absolute fools of ourselves. As I say, I have no particular interest in this at all. I do not, as I say, dine in the dining room downstairs. But for goodness sake, let us knock it on the head now and allow P.P.C. to come forward if that is what really Members want.

5.1.17 The Connétable of St. Mary:

Once again I would like to say I am saddened that Senator Syvret again decided that he could label all Members who might vote against this in a particular way. I respect the way Members of this House vote, based on their own feelings. Having said that, and I am not going to support this amendment, not because I think it is petty - although in the context of the bigger figures, of course, it is such a lot smaller - but simply because I do not believe that Deputy Shona Pitman has addressed the question of efficiency. We are continually looking for efficiency savings and that word has not been used. The Deputy, when proposing, made great play of the fact that attempts had been made to try and trim half an hour off the lunch and that had never, in fact, worked. But, of course, the lunch hour was reduced in 2005 when the new Standing Orders were adopted. It was reduced to a greater extent than today because one of the first things that the Assembly of the 2005 elections did was to vote to extend it by quarter of an hour again. I am pleased to say that Deputy Pitman and I were present in the House and we both voted against that because we thought that one hour was enough or one hour and 15 minutes was enough. I think there would be more efficiency achieved and therefore more savings achieved by reducing the lunch hour by cutting the cost of sandwiches because they are a vital ingredient in meetings when you have to meet over lunchtime, not just on occasion, let us say, structured Scrutiny meetings that happen on a pre-arranged basis, but *ad hoc* meetings that arise at lunchtime because of events that have happened during the morning's debate. That happens extremely often. I am sorry, but States Members are like herding cats, getting them together. If 53 Members all disappear in different directions to get a sandwich lunch there is no telling when they are going to come back to discuss things. Time and time again we hear when we reach a sticking point in debate: "Perhaps Minister X could go away with Minister Y and discuss this at lunch time. Perhaps you could come to a conclusion." That means talking to lots of different people. I think that is a very important part. I think that that gives a lot more efficiency to the debate than would be saved by a financial gain of £11,000 per annum. What we should be looking at, and I apologise to Deputy Trevor Pitman because he is right about the amendment that had been brought, but I really did not see this until the debate started. Deputy Le Fondré said it is only £12 per head per month. Well, of course, there are certain efficiencies of scale built into that. We have a bulk order; maybe it costs us less. Probably if we were to administer taking in the money and working out what people have paid, that would be cumbersome. But if everybody was in agreement, why did we not put a flat fee per month into a kitty, pay for the lunches out of it and at the end of the year any surplus we would give to a charity? What a fabulous idea. It would not cost us so deeply. I regret, I sincerely regret and I do apologise to the Deputy, I did not think of it in time. But that would be a good idea. I am quite prepared to take that forward, perhaps, if other Members are in agreement, if this amendment is defeated. So I really feel the efficiency that we gain through being able to meet on an *ad hoc* basis ... I am the chairman of P.P.C. and I have got 7 Members including myself. Trying to get them together for anything on the hoof that arises is extremely difficult and that is no disrespect to them. That is because they are all busy and they are all doing lots of different things. To have to then send them out and say: "Well, come back a bit earlier and we will meet", it just does not happen. I really feel that for this amount of saving we are losing the possibility of a lot of productive work. That is informal meetings. I would also very briefly just like to say that informal discussions at lunchtime, I value. I have had a chance during the course of this current week to sit at lunch next to 2 separate Members that I rarely have a chance to talk to during the course of my normal business in the States. I have learnt from one Member particularly, a lot more background about the amendment they were going to bring than I had any idea about before. I think that is extremely valuable and I

think that would be a great disservice if that had not happened. I do regret that I do not have the opportunity more often to perhaps chat informally, although I would not steal his jokes, with Deputy Trevor Pitman, because I used to sit on a Scrutiny Panel with the proposer and valued the time that we could discuss things then. So, having said that, I think there are very serious reasons why this should be rejected, on the grounds of efficiency. I would have liked to have seen perhaps more thought given to whether we should be, in fact, trimming down the lunch hour, as was originally envisaged by the revised standing orders in 2005.

5.1.18 Senator P.F.C. Ozouf:

I agree with the comments that people have made about making fools of ourselves. I think there is a general consensus in this Assembly that we should pay for our lunches when the States are sitting. That is clear. I think that I would urge Deputy Shona Pitman to withdraw this proposition. I think there is a problem with it. I think it is unfair and I think it is wrong that there is going to be, as a result of this proposition, arrangements for Scrutiny Panels and P.A.C. (Public Accounts Committee), of which there are some people who serve for no remuneration in terms of their service to the Assembly that they are going to be denied, effectively, arrangements for meeting over lunch time. I think it sends a demeaning message out for the functions of this Assembly. So I would urge Deputy Pitman to withdraw this proposition. There is clearly a consensus that we should pay for our lunches at States Assemblies. A simple token system could be introduced. We should be getting with the real issues of how we can save money in this Assembly. £11,000 does not even touch the sides as far as efficiency of this Assembly is concerned.

The Deputy of St. John:

I propose we move to the next item, Sir.

The Greffier of the States (in the Chair):

You are entitled to make that proposition, Deputy. I get the impression we are nearly at the end of the debate to take the vote.

The Connétable of St. Mary:

I am sorry, could I have clarification? I am sure I asked about this at some time in the past and I was told that it did not cover moving to the next item if we are talking about amendments.

The Greffier of the States (in the Chair):

What it involves, Constable, is moving to the next amendment, which is the next item of business. I think on the other occasion it was requested it be moved to the next item on an amendment with the whole debate fall. I think it is a matter you are entitled to put, Deputy. Is that seconded? **[Seconded]** It is seconded. Very well. The appel is called for. The proposition of the Deputy of St. John, that the Assembly moves to the next item of business. The Greffier will open the voting.

POUR: 19		CONTRE: 24		ABSTAIN: 1
Senator P.F.C. Ozouf		Senator S. Syvret		Connétable of St. Mary
Senator T.J. Le Main		Senator T.A. Le Sueur		
Senator S.C. Ferguson		Senator P.F. Routier		
Connétable of St. Helier		Senator B.E. Shenton		
Connétable of Trinity		Senator A. Breckon		
Connétable of Grouville		Senator A.J.D. Maclean		
Connétable of St. Brelade		Senator B.I. Le Marquand		
Connétable of St. Martin		Connétable of St. Lawrence		
Connétable of St. John		Deputy R.C. Duhamel (S)		
Connétable of St. Peter		Deputy R.G. Le Hérisssier (S)		
Deputy of St. Martin		Deputy G.P. Southern (H)		
Deputy J.B. Fox (H)		Deputy of St. Ouen		

Deputy of St. Peter		Deputy of Grouville		
Deputy J.A. Hilton (H)		Deputy J.A.N. Le Fondré (L)		
Deputy of Trinity		Deputy S. Pitman (H)		
Deputy of St. John		Deputy K.C. Lewis (S)		
Deputy A.E. Jeune (B)		Deputy I.J. Gorst (C)		
Deputy A.T. Dupré (C)		Deputy M. Tadier (B)		
Deputy J.M. Maçon (S)		Deputy of St. Mary		
		Deputy T.M. Pitman (H)		
		Deputy E.J. Noel (L)		
		Deputy T.A. Vallois (S)		
		Deputy A.K.F. Green (H)		
		Deputy D. De Sousa (H)		

The Greffier of the States (in the Chair):

Does any other Member wish to speak on the amendment? I call on Deputy Shona Pitman to reply.

5.1.19 Deputy S. Pitman:

The reason why I brought it to the States, this subject, really is to put out to the public because they have been suffering: G.S.T, we have got States workers’ pay freeze, cuts here and there, and I thought that we should show an example that there are more important things than filling our bellies with food that is paid for by taxpayers. We should be setting a precedent as legislator. As for Senator Ozouf’s comments on: this is demeaning to the States and it is unfair to place this on States Members, well, I would ask him to step in the shoes of States workers who have just been given a pay freeze. How do you think they feel? I would imagine that States workers feel demeaned and unfair with their pay freeze. The Constable of St. Mary cannot support this amendment, came up with an alternative, why did she not submit it? Constable Refault of St. Peter thinks this, again, did not need to be brought to the House because it is trivial. Well, I do remember him bringing a proposition to the House to give up our £1,000 pay rise. Why could he not discuss that with the relevant officers and sort it out? The Constable of St. Saviour, I acknowledge that he does have a condition where he does have to take medication at lunchtime but I also acknowledge that there are States workers who need to do this. Are they given a free lunch? Yes, there are canteens but I think the majority of our States workers are not given paid lunches. There is a lot of discontent among States workers to us having free lunches while we are cutting their pay freeze, and that was demonstrated at the Unite meeting a few weeks ago. The Deputy of Grouville, I think she did raise a point, despite the Greffier intervening, saying: “Yes, it is a different budget and sending out a particular message.” We are trying to send out a message. Something probably that I should have included in this was the Council of Ministers’ lunches and it might be another proposition that I will gladly bring to the States and I am sure everybody will be excited by it. To finish, as I have said earlier, this was about setting precedents and setting an example to our States workers. I certainly feel that there are more important things this money could go to. I can think of some small projects which would benefit this Island which are more important than paying for our lunches. The last thing I would say: enjoy your free lunch today because it is the last one. I call for the appel.

The Greffier of the States (in the Chair):

The appel is called for on the Tenth Amendment of Deputy Shona Pitman. If Members are in their designated seats, the Greffier will open the voting.

POUR: 26		CONTRE: 12		ABSTAIN: 4
Senator S. Syvret		Senator T.A. Le Sueur		Connétable of Grouville
Senator P.F. Routier		Senator T.J. Le Main		Connétable of St. Peter
Senator P.F.C. Ozouf		Senator A. Breckon		Deputy A.E. Jeune (B)

Senator B.E. Shenton		Senator S.C. Ferguson		Deputy A.T. Dupré (C)
Senator A.J.D. Maclean		Connétable of St. Brelade		
Senator B.I. Le Marquand		Connétable of St. Saviour		
Connétable of St. Helier		Connétable of St. Mary		
Connétable of St. Lawrence		Deputy of St. Martin		
Deputy R.C. Duhamel (S)		Deputy J.B. Fox (H)		
Deputy R.G. Le Hérisier (S)		Deputy G.P. Southern (H)		
Deputy of Grouville		Deputy of St. Ouen		
Deputy J.A. Hilton (H)		Deputy of St. Peter		
Deputy P.V.F. Le Claire (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy S. Pitman (H)				
Deputy I.J. Gorst (C)				
Deputy of St. John				
Deputy M. Tadier (B)				
Deputy of St. Mary				
Deputy T.M. Pitman (H)				
Deputy E.J. Noel (L)				
Deputy T.A. Vallois (S)				
Deputy M.R. Higgins (H)				
Deputy A.K.F. Green (H)				
Deputy D. De Sousa (H)				
Deputy J.M. Maçon (S)				

6. Draft Annual Business Plan 2010 (P.117/2009): seventeenth amendment (P.117/2009 Amd.(17)) (paragraph 6)

The Greffier of the States (in the Chair):

Very well. We come now to an amendment in the name of the Deputy of St. Mary, the Seventeenth Amendment, paragraph 6. I will ask the Greffier to read that amendment.

The Assistant Greffier of the States:

Page 3, paragraph (b) after the words “withdrawn from the consolidated fund in 2010”, insert the words “except that the net revenue expenditure of the States Assembly and its services shall be increased by £100,000 for funding facilities and resources for the work of Members in their capacity as private Members.”

6.1 The Deputy of St. Mary:

I feel rather like a bowler on the fifth day of the test at Headingley after that debate because it has been hard and the pitch has been roughed-up and it has got the graveyard slot as well. So it is a bit... to our lunch at 1.00 p.m., our curtailed lunch. Yes, we are in the section ... we seem to be around relatively small amounts of money. We are talking in this amendment about £100,000. But particularly this amendment, I believe, touches on a very important question, which is how we conduct our business. Now, I cannot start off with an emotional bang, stop you all, sit up, as I did with the hazardous waste at La Collette, sorry, the other place, Bellozanne. This is not that kind of amendment. If this does not go through there will not be an immediate health impact the next day or the next month. It is not that kind of thing. But are we going to say that if something does not have an immediate life or death impact, that it does not matter? I do not think we should say that. We decided we would not say that without our respite care. It is not life and death but, my goodness, it is important, as Deputy Green so tellingly pointed out. This is about process. We heard in the debate on the £1 million and also in the debate on the adult respite care just how important it is to get things right, to find the right answers. The question I am posing with this amendment is do we wish to improve the workings of this Assembly? More specifically, do we

wish to aid and support Back-Benchers in carrying out their duties effectively on behalf of the public? This amendment seeks resources, in particular, research facilities and library for all Members. But it is patently obvious that Ministers and Assistant Ministers who have offices and officers will not be using this facility as much as Back-Benchers. Now, this is a key structural issue. How do we arrange our affairs and how well do we govern this Island? Well, I do not think I will go back to the previous debate. That follows on to a point about public satisfaction. I do appreciate ... I think Deputy Vallois mentioned this document in a speech recently, Annual Performance Report 2008. I do appreciate the fact that there is a chart in here on page 63: Public Satisfaction with Government. It is taken from the survey done by MORI as part of the Government research into electoral reform: Public Satisfaction with Government. The chart shows that very satisfied is about 2 and a half per cent; barely satisfied 30 per cent. The question was public opinion with the way the States run the Island. Obviously that is an important question, to get feel for how the public perceive what we do. Barely satisfied just over 30 per cent. Neither for nor against - neither/nor is 15 per cent. Fairly unsatisfied/dissatisfied 25 per cent/26 per cent; very dissatisfied 20 per cent, and no opinion 2 per cent. So fairly or very dissatisfied 45 per cent. That figure simply is a serious cause for concern. So what exactly does the amendment do? It suggests that we take £100,000 back, in effect - it was a cut on Scrutiny that is buried in the Business Plan - and to simply say: "We need that back to allocate it to improving facilities and resources for Members." Now, I am not trying to do the work of P.P.C here. They are undertaking... and I really applauded that questionnaire when it came to me; did not fill it in and then eventually got around to it. But I think it is so important that they are doing a review of Members' facilities and they have asked us all what we would like to see. That is just the right way to do it. I do think that... this is why I abstained in the last debate because I felt that it should have gone to P.P.C. to sort out all the little details about who gets what, when in terms of lunches. Now, the point about this amendment is that if P.P.C. find out or come with a recommendation about that we do need better facilities, that we do need resources, there will be no money to do it with. So this is an amendment rather like the respite care, where it was not dotted and crossed exactly how that money would be spent. But the commitment is there and the ready-to-roll is there. This issue cannot wait. If P.P.C. should say: "Yes, Members should have better facilities" then this guarantees that at least we can take action. A library and proper resources will help Members. We are being hindered at the moment by the lack of facilities. It is an invisible loss. It is something you do not know because it is not there. We could do our job better if we had those facilities and I will show how that works later. So I just want to refer Members to some words of the Corporate Services Panel in their comments on the draft Annual Business Plan. I do think it is a remarkable piece of work, considering the time scale they were under. On page 17 of this report they quote the Chief Minister about information systems. They quizzed him about the information systems: "We need to have a proper I.S. (Information Systems) programme" said the Chief Minister. "At the moment, if you look at it in detail, we will find we have had to trim back on some of our I.S. activities just to stay within budget." The panel's comment immediately after was: "The panel was very concerned that this is a false economy." They say a similar thing about training. They say: "Beware cutting the training budget across the States, the central training budget because what you are doing is reducing the efficiency of the entire organisation." You are attacking the roots. This amendment is the same thing. It is building up the roots which feed the plant, which is this Assembly and how it works. If the roots are not fed then you have a withered plant. We should be enhancing Back-Benchers' ability to hold the Executive to account, to conduct research and help bring ideas to the table and we should be contributing better to debates. I would like to see this resolved in a better standard of evidence and so on when people are speaking. I will come to the role of Scrutiny in a minute because obviously there is a case to say: "Well, why have these facilities? Scrutiny has officers" and so on. But first of all, what would this look like? Now, my other half used to work at Durrell and she filled me in on exactly how the library set-up works there. It is a small organisation - smaller than us - and the library is half a person, a librarian with volunteers to man when she is not there. The books mostly were loaned-in by members of staff, with obviously a little thing saying

that they take it if they were to leave. Others are required and periodicals, of course, coupled with the library, although slightly to one side for the purposes of this amendment, is lunchtime lectures where a lot of staff go over, because I have seen them go to them, and they meet other staff and they are stimulated by issues that are near or around what they are doing at Durrell.

Senator S.C. Ferguson:

Will they get sandwiches?

The Deputy of St. Mary:

No, they bring their own. **[Laughter]** I remember they sit there with whatever they have got or eating their bananas: funny, yes. But the point is the whole set-up is a centre for learning and awareness and it generates better performance and it says to the staff: "We value you. We think it is worth developing you, we think it is worth having information resources there for you to use." The cost is not great, as I say at Durrell: "Half a librarian and a bit of space." Now, how would our library and facilities look? Well, they would be different from that. We have a vastly wider range obviously of subjects and it is for P.P.C. to look at exactly how the research element might work because, clearly, some research is more private and individually directed than others. But I just want ...

The Greffier of the States (in the Chair):

Sorry, Deputy, the States have become inquorate.

Deputy J.A.N. Le Fondré:

Can I propose the adjournment for lunch, Sir?

The Greffier of the States (in the Chair):

I am afraid the States are not competent to propose the adjournment, Deputy.

Deputy J.M. Maçon:

Sir, can we propose a roll call?

The Greffier of the States (in the Chair):

Standing Orders provide for the procedure in the case of a lack of a quorum which will be followed.

LUNCHEON ADJOURNMENT PROPOSED

The Greffier of the States (in the Chair):

Very well. The States are again quorate. I do wonder, Deputy, if it would be a convenient time for you to break your speech and come back?

The Deputy of St. Mary:

Sir, I think that is a sensible thing to do.

The Greffier of the States (in the Chair):

Yes, very well. The States will reconvene at 2.00 p.m., as agreed.

LUNCHEON ADJOURNMENT

The Greffier of the States (in the Chair):

The time has come for the Assembly to reconvene and the Assembly is not currently quorate. The Assembly is not competent for anyone to address it at the moment, Deputy. Very well. Deputy of St. Mary, you were rudely interrupted mid flow and the Assembly is now quorate. Do you wish to continue?

The Deputy of St. Mary:

Sir, I am glad to see we have a full house. **[Laughter]** Yes, Members will recall I was saying that we need better facilities and I mentioned how they provide library and stimulus in the form of lecturers, which we do get; we get briefings, we had the Human Rights Seminar from the Attorney General and so on. So that side is covered; perhaps not enough discussions and lectures and so on, but that side is not what I am talking about. It is about the library, it is about facilities. I just wanted to say a few words about the sort of thing that this facility would do and it would be rather different from the situation in Durrell which is not, as I put here, fast-moving as the States. But, yes, we do cover a wider range of things, for instance, one of the aspects of the work of the library would be to help Members prepare for debates. If I take the example of the town park debate, which we will be having either later today or tomorrow, that is an example of a hugely important debate; we are talking about £10 million; we are talking about really the way we see the Island; we are talking about the future of our capital town. Members should have been able to find the relevant documents without any trouble at all and, in my vision or estimation, there would have been a little place on the wall: "Upcoming propositions, town park" and in there there would have been our report on land contamination and the estimates for car parking, there would have been the PricewaterhouseCoopers report; every Member should have been able to put their hand on that: "That sounds interesting" and prepare themselves for the debate. As it was, in order to prepare for that debate, I had to ask the Chief Officer of Planning - not Planning and Environment, but the Chief Officer of Planning - to locate documents for me. Now, he is paid a lot more than this librarian person, one and a half people that I am suggesting might be the sort of numbers that people are looking at, he is paid a lot more and he has other things to do with his time. He emailed another senior colleague to dig out this bit of documentation for me and I am sorry, that is not an effective use of time of officers; that a function of gathering information, making sure that it is available for Members, is surely one that could be centralised in the same way that we centralise communications. Of course, beyond just getting ready for upcoming important debates, the librarian would of course make sure that books were there and periodicals that we would need. That would have to be looked at exactly how they would do that and that would be within P.P.C.'s remit to explore exactly what we should have by looking at other jurisdictions. At this point, I would refer Members to Clothier. Now, Clothier... that is going back a bit, is it not? But in that paragraph 5.8 - and I say that just for the record - Clothier mentions about facilities for Members in their chapter called: "An Improved Structure" and that is what this amendment is about, an improved structure. If people think that we are fully satisfactory in our performance then, goodness, they I think need to think again. In paragraph 5.8, Clothier Report says: "It was while we were in the Isle of Man that we observed the excellent facilities provided there for Members of their Assembly" and remember, this was written 10 years ago: "these included offices, telephones, facsimile machines and the like. Importantly, there was a comprehensive library with 2 librarians to help Members with research." That is the sort of thing: I am not saying we would go straight to a look-alike of the Isle of Man, I am just pointing out that Clothier, 10 years ago, as part of the package to balance the executive, said that Members needed that sort of support. Then Clothier goes on: "By comparison, facilities in Jersey are virtually non-existent and we recommend" in bold: "that something must be done urgently." Well, we are 10 years on from Clothier, we have no library, we have no support, we have no facilities apart from... I must say I am sorry I take that back; I am not saying we have no facilities, I am saying that the facilities are not up to this standard. There have been improvements; I have talked to more senior - I nearly said older - Members of the House and they have told me that there have been leaps and bounds and strides forward in our facilities like rows of computers and fax machines but that is not enough and, time and again, debates suffer from this lack of information. Clothier goes on: "There must be some better arrangement than this": sorry, he is talking about the tendency there of the States, of the building, and then he says: "We recommend" in bold: "that a committee of Members, chaired by the Speaker [another role for the Speaker] should be charged with the task of providing proper facilities and accommodation for all Members and to take over the responsibility of the present

House Committee.” Well, we did not obviously go down that route but we now have P.P.C. who do that same function but it is interesting to note that Clothier thought that it was so important that he wanted the Speaker himself - usually himself - to be the chair of that committee. So I just put that to Members just how important this issue is. I am going to put some flesh on the bones and then finish. The 2 categories of support or areas where we are deficient, and I have said we are being hindered in our work and therefore the work of the Assembly suffers, and the first is information. Now, I have 3 examples of information where it was simply very difficult for Back-Benchers to find something out. Now, that is part of the case for having support, so that we can go to somebody and ask them to do the 10 minutes or the half an hour or the hour of work needed to find something out. My examples are Deputy Green trying to find out the architectural costs of the incinerator. He asked written questions - direct questions - and he was not afforded the answer. You can find it by digging in the C.A.G.’s (Comptroller and Auditor General) report and subtracting this from that but he was not given that information. Deputy Rondel asked for the cost of not hedging the euro and I quote: “At an early stage” he did not get the reply that he should have got and so again we are left with how do you find out without support? Because we all have 24 hours in the day and there are 7 days in a week and we do need sleep as well so there is a time factor and we do, in my estimation, need that support. My third example is my own question to the Attorney General. This was about the remedies which the public can adopt when the States fail in some way or other or when they feel that either individually, as a group or as an Island they have suffered at the hands of the States in some way. That question basically the A.G. (Attorney General) refused to answer. That issue was directly relevant to 2 things we have debated already in this annual Business Plan: one was the hazardous waste issue where clearly the matter of how liable is the States if we cause ill health to our citizens; that is clearly a relevant and very burning issue. That is not a good pun in that context but it is a relevant issue and, again, we did not have the answer. So we have this asymmetry; there are some of us who have the hired help, as Helier calls it, and there are others of us who have no hired help, we just have to make do with the titbits. So, so much for information. The second aspect of where we need to do better, where we need to be better equipped is research. I will just give Members a few little examples. The first, Bellozanne. It was said in that debate by someone - I forget who - that what goes on at Bellozanne is: “Illegal in the UK and would be illegal in the E.U. (European Union).” I have no way of checking that or, rather, I could check it but how long would it take me and if somebody who knew how to find things out... I am pretty good at finding things out myself, but the fact is if somebody, a professional librarian, was there to help with queries like that we could be so much more effective. The second example I have is H.G.V.s (Heavy Goods Vehicles) and the cost they impose on the roads. Now, I know from previous lives, that in fact H.G.V.s impose massive costs on the road surface and basically the taxpayer picks up the bill. But I would need to research that statement; I need to look at that before suggesting to T.T.S. (Transport and Technical Services) that something be done more formally and so on. How can I do that research? Well, it is at the moment, do it yourself and, as I said before, there are only 24 hours in a day and 7 days in a week. My next example is ...

Connétable M.K. Jackson of St. Brelade:

Sir, if I could just ask the Deputy to give way for a moment? My department is happy to answer questions the Deputy may wish to ask at any time.

Deputy M.R. Higgins of St. Helier:

We do not always get answers.

The Deputy of St. Mary:

I take the Minister’s point and a first point of contact might very well be the department and I would say to them, you know: “What are the technical issues here?” and they might or they might not know. But again, I would be then spending a lot of time doing that to-ing and fro-ing whereas a

librarian, that would be their job, that would be their function. I could get on with something else like a constituency meeting I have to prepare for now on Monday evening and so on. My last example - and I think this is quite an interesting one because it does show the sort of role research would play - is when we were told in Scrutiny, I believe, or I read somewhere, that the soil improver that T.T.S. made down at La Collette they sell £27,000-worth a year. That seems to me very low and so I have a whole series of questions around that that, again, I would like support on and I think that Members would be better equipped if they could find out how much is used by parks and gardens, what the chemical analysis is, are there tests done regularly for compliance with pathogens and so on - trace elements - and there is a raft of research that should be done on that. Now, I accept the Minister would again say: "Well, just ask" but, again there is a time factor always in asking and I feel that if I had the information I could get more done, basically. That question of getting more done, you know, it is hard and people think that there are 53 of us: "And what do they do?" and even say we do not need so many States Members. We 53 States Members cover the entire working of a jurisdiction; people frequently now refer to us as a small nation and, to all intents and purposes, we are. Apart from Foreign Affairs and Defence, we run our own show. Now, in the U.K. Parliament there are 650 M.P.s (Members of Parliament). If you knock off the Scottish ones and the Welsh ones who have also got their own M.P.s, curiously, and you knock off the ones who are busy with... if you could make an allowance for Foreign Affairs and Defence; say 450 if you knock off 200. 450, that is 9 to one; there are 9 times more M.P.s covering the same ground as we do. Now, I am not saying it is exactly the same; they have Higher Education to worry about, they are obviously slighter wider-ranged but in principle, we basically cover the same ground. We cover Vetting and Barring; we cover Education; we cover Youth Service; we cover the whole range. People may say: "Well Scrutiny does this, you know, you can find out through Scrutiny." Now, Scrutiny covers a small range of issues, that is what Scrutiny does; they choose, they select what they think might need looking at more carefully. But the rest of the stuff that comes across Scrutiny's bows it is like a row of barges going down the Rhine: you watch them sail past because you have not got the time or the resources to probe and find out which of those should be looked at. So a lot of the barges go past uninspected. I would just say that this is an attempt to address that balance and to make sure that we do our job better and I am just pointing out that Scrutiny, with the best will in the world, will not - cannot - pick up all the errors there might be and there will be issues that have to be covered by Back-Benchers acting independently. So to conclude, this Assembly can and should do its business better: one improved decision or one bad decision avoided would be worth £100,000 and I will say that again: one improved decision or one bad decision avoided will save £100,000. We are familiar with Deputy Rondel's litany - I have heard it twice - of the past disasters of this Assembly; that this, this, this, this, why can we get these things wrong so often? With more support, Back-Benchers would be able to do their job better, to hold the Executive to account, to bring ideas and to contribute and influence the debate. Clothier was absolutely right to insist that Members need proper support and he said that 10 years ago. I am not usurping P.P.C.s position; I congratulate the work they are doing, I am just putting in place the resources so that when they come with some suggestions for improving our position as Back-Benchers and our efficiency and our insight, then the money is there already to get on so that this Assembly functions better and I ask for Members' support.

The Greffier of the States (in the Chair):

Is the amendment seconded? [**Seconded**] Deputy of St. Peter?

6.1.1 Deputy C.H. Egré of St. Peter:

I am pleased to stand, having just heard the last few words given by the Deputy of St. Mary. The Constable of St. Helier alluded yesterday to the fact that: "The boy had learnt." I have to say, I think he has just failed the exam because in this particular instance, if I am going to concentrate on the actual proposition itself which is the foundation in setting up £100,000 for the support required by Members of this House, as the Deputy of St. Mary has already pointed out, the P.P.C. have sent

out a questionnaire to all Members and I hope that the Deputy of St. Mary has filled it in accordingly asking for the things that he has put forward in today's Assembly. But I would have to say that, from the P.P.C.'s perspective, at the moment the work is underway collating the information and obviously we were going to consider it very shortly about how we should take this forward. This amendment at best is premature and the reason why I say that is because P.P.C. has already agreed to reduce its budget by £100,000. That currently leaves us, and it is very important for you to note, with a surplus of £200,000 which has not been spent. We anticipate next year having an under-spend of £300,000. Now, working on that principle, the money is already there in place to put any of these suggestions that we feel are worth merit, to put those forward. So the idea of adding ...

The Deputy of St. Mary:

Could the speaker give way? I just want to ask the speaker, I mean, I did try to check these figures and I looked in the Business Plan but I cannot, maybe you can tell me where I can see, where this under-spend is because, as far as I can see, it is buried in States Assembly and there is no line, so I could not find ... I was confused by this: "Yes, there is an under-spend, no there is not, we have taken £100,000, it is not there anymore."

The Deputy of St. Peter:

Sir, again, the Deputy of St. Mary is noted for his ability to research and I am sure, had he approached the Greffier's office, that it would have been made very clear to him where these figures have come from. I would just reiterate those figures: a current £200,000 under-spend with £100,000 being declared but handed back and an under-spend next year, an anticipated £300,000. The emphasis here is, ladies and gentlemen, or should I say Members, the money is here. The money is here, so let P.P.C. get on with its job, let us assess the recommendation put forward by Members of this Assembly and let us do our job without calling for extra money from Treasury.

The Greffier of the States (in the Chair):

Perhaps in the light of what the Deputy has said, I could urge Members to restrict comments from the Members to the need to for the extra money because it is not a debate about facilities *per se*, it is a debate about funding more money. Deputy Le Claire?

6.1.2 Deputy P.V.F. Le Claire:

I think the Deputy of St. Mary is a very welcome addition to the States Assembly; I was very pleased that he was elected. [Approbation] [Laughter] He seems to like my speech so far and I hope he will stay with me as I continue. He finished his speech by saying: "One improved decision or bad decision avoided would save £100,000." I think this is a bad decision and if we oppose it we will save £100,000. [Approbation] Exactly what the Deputy is asking; 10 years ago, Clothier submitted its recommendations and asked us not to cherry-pick. It recommended a reduction in the number of States Members. The 2 librarians that were cited 10 years ago for the Isle of Man serve a much lesser pool of politicians than this States Assembly and I do not know what the current manpower requirements are for that library 10 years on but, perhaps, having considered this proposition and mentioned it from 10 years ago, the Deputy of St. Mary would be able to inform us how many librarians there are now because, if it is anything like any other States department I have known, it is pyramid building, it always essentially is: somebody gets into a post and needs somebody below them to fire in case they are asked to reduce spending. It may be cynical; it may be an uninformed position. I have just joined the Environment Scrutiny Panel and I have asked on 2 particular issues that the Deputy has mentioned, questions *ad infinitum*, I am hoping that the Deputy of St. Mary would listen to my speech because it is addressing his concern, I have *ad infinitum* asked question upon question upon question in relating to the composting issues and received responses. I know that he has reviewed some of the evidence that was given to Scrutiny or perhaps even attended the Town Hall meeting where the Chief Officer was challenged by myself to

provide me with the correct numbers and replied: "Do not ask me for the correct numbers, ask my officers." It is interesting that the new Minister for T.T.S., who is a considerably different breed, in my view, of Minister than his predecessor, has offered an open door to Members to go along and look at the information and I certainly do believe that he will afford us that. In fairness, though, the predecessor, the previous Deputy De Faye, did in writing afford me the opportunity to speak to the Compost Department's manager and I went down to speak to the compost manager on-site, with Deputy Duhamel and the compost manager flatly refused to speak to me or engage with me and said: "Speak to my chief officer" who later told me, if I wanted the right information, I must speak to the managers so it is the chicken and the egg scenario there. The compost scenario, as I explained earlier this week, was produced in a report that we evidenced, which is available, the numbers in relation to the sales and other matters were first raised in a concise format by Senator Perchard, which I subsequently followed up year after year and I could easily point the Deputy to follow up again now as to where we were but it was something like £750,000 of States expenditure supporting many private gardening industries and concerns with a compost site that was a nuisance to the area and to the workers that was yielding somewhere in the region of about £27,000 worth of sales from the soil improver which the department gave itself an award for or won an award for. That sort of expenditure and that sort of waste is what makes me scream. But the reality is that it does not matter what information a Member has or what information a Scrutiny Panel has, if it cannot convince its colleagues that it has a case, it could pile it up to the top of the ceiling and it would not get anywhere. We held the Scrutiny process in terms of what we wanted to do as an alternative for the incinerator, we held our meeting in the Town Hall, in my view at the wrong time and at the wrong date, on a Friday afternoon. We had 11 Members turn up on an issue that cost us over £100 million and it had spent something like 5 years at review, 11 Members; 7 of those were the panel. So there really is, in reality, very little opportunity to convince States Members with pile upon pile upon pile upon pile of information. We have seen it today; piles of documents arriving on our desks from the Deputy of St. Mary which would hopefully help us inform our opinion in relation to upcoming debates. The reality is that I do not have time to read that while I am trying to pay attention to what is being said and my view has already been formed in the vast majority of these debates prior to coming into the Assembly. It may be changed on occasion but in reality, it is not going to be changed by pieces of paper flying in front of me unless they are pertinent to the speech at the time the speech is given and information is requested in relation to, as we saw yesterday, perhaps, evidence. One of the interesting things that I have noted - having had a brief chat with the officer for the Environment Scrutiny Panel - is that the Environment Scrutiny Panel, in its wisdom, has decided not to continue with the subscription for ENDS, the environmental newsletter which we used to have ordered to the Scrutiny Panel which does inform the Environment Scrutiny Panel quite intrinsically upon all of the matters to do with waste in the U.K., *et cetera*. It certainly will be an issue that I will be bringing up on the first item of any other business; I have asked if the officer would let us know what the costings are for the Environment Scrutiny Panel because I believe those sorts of documents within Scrutiny, which do not cost necessarily an arm and a leg, which can be photocopied with permissions among the Scrutiny Panel, can yield us the information that we seek. In particular, I give one example of one of the articles that I am going to deliver to that panel that day. It is an article that covers a jurisprudence issue on European Union legislation with the right for the individual to take the States to court to ask for an action plan in terms of emissions that would subsequently harm their health. It has been found in Europe that an individual does have the right to go to court and take the State to court to ask for an action plan when there are issues concerning their individual health and the actions of the State. Now, that sort of information which can be garnered from these sorts of publications should and does rightfully belong within the relevant Scrutiny Panels. If the Scrutiny Panels which are well-funded need additional information, they can go to a variety of sources, not only the Internet but also each other, to the Ministries, whose work they should be supporting - albeit scrutinising; to the Public Accounts Committee; to the various bodies that are employed by the States and appointed by the States, for information; and they can go to the States Greffe. I have never had a

problem in going to the States Greffe to ask for information and they have never ever been anything but extremely helpful for me when I needed to go and find some information. **[Approbation]** I have sat across at Morier House on numerous occasions going through confidential transcripts and minutes and Acts, *et cetera*, and brought that information well-armed to the States debate for debates. But rarely, rarely does it do any good. Rarely does informed opinion do any good because the reality is it is an agenda - a political agenda - being led by a political body that has elected itself within a system to drive a political course. We have a system in Jersey of individual elections and then thereby groupings afterwards that drive in a political direction. If the J.D.A (Jersey Democratic Alliance) was successfully elected *en masse* at the next elections, they would probably steer in a completely different direction to the direction that we have been steering in the last 10 or 20 years. But much of the information that affords political direction and navigation in those terms in the U.K., which was highlighted by the speaker, comes from within the resources that are accumulated and are mounted from party politics and the subscriptions of people who support party politics. I am sorry, I do really believe the Deputy of St. Mary is a benefit and a welcome addition to the States Assembly but, I am sorry, I think he is premature on this issue, I think we would be a laughing stock to throw out free lunches and then put £100,000 downstairs for some **[Approbation]** ... in the very next debate, when there is an ongoing consultation at the moment for States Members' needs. Now, I have completed that consultation and I have sent it in; it may be whacky, it may not be welcome, but I have certainly forwarded it to the chairman of P.P.C. I wonder how many other Members when they speak will tell us whether or not they have done so. Right, so we will see who is participating in that process. Now, it may be that we need extra facilities; I personally believe that it is high time that States Members were afforded some form or assistance in terms of a pension plan. Now, contradictory as that sounds, I also believe ...

The Greffier of the States (in the Chair):

Please do not get on to pensions.

Deputy P.V.F. Le Claire:

I also believe that those sorts of additional support mechanisms have to come in their proper place and they have to come through considered opinion, through the Privileges and Procedures Committee because the old adage of: "If we are going to pay peanuts we are going to get monkeys." If we are going to have useful information and useful resources then they must be affordable to all Members in a democratic way otherwise what we will see is perhaps a system which is used more by others than less by others. That cannot be right either so we must have a little bit more of an analysis here. I am just going to wrap up by saying if I have not said everything that needs to be said in this debate then I obviously need to speak much, much longer in future. I hope Members will take my steer and let this one go past us now and go to the vote so we can move on. Let us support the Deputy of St. Mary in the work that he does; I will certainly be supporting him on Environment Scrutiny trying to find information he has not been able to get and I hope and I plead with Members that we put this one to bed after this speech of mine and we move to the vote.

6.1.3 Senator P.F.C. Ozouf:

Very quickly, on a technical note of which Members should be aware, the Executive does not set P.P.C.'s budget. P.P.C.'s budget is requested and it is effectively inscribed by the Executive. Moreover, this is not a statutory basis but there is an informal arrangement where the year-end carry forward, which is this year going to be £300,000 for P.P.C... and it is likely on current spending to be £200,000 next year, as far as carry forwards are concerned. I would not make a unilateral decision in relation to taking away P.P.C.'s carry forward without consultation. This amendment, if Members do want to spend more money, the money is there and I think we should just get on with the vote.

Deputy J.M. Maçon:

On a point of clarification to the Minister, does he mean consultation or negotiation; they are very different things.

Senator P.F.C. Ozouf:

I mean that it would be inappropriate for the Executive to effectively do anything which Back-Benchers and Scrutiny wishes to do. It is an independent system; I would just subscribe them the amount that they would wish to carry forward.

The Greffier of the States (in the Chair):

Deputy Le Fondré. I should say there are quite a number of Members who indicated they wished to speak, if they do still wish to speak.

6.1.4 Deputy J.A.N. Le Fondré:

I think all I will do is say, firstly, to pick on 2 points which I believe the Deputy of St. Mary made before lunch. The first one is certainly a statement of fact; £100,000 is not a trivial amount and secondly, this is not about cutting facilities because the facility is there. He has been talking about enhancing facilities and we just do not want to go there, as far as I am concerned, and I endorse the comments of Deputy Le Claire about we have just got rid of our lunches; it will make us look absolutely stupid to vote in £100,000 for facilities and let us reject the amendment.

6.1.5 Senator A. Breckon:

I must say first of all I do not think I agree with a word that Deputy Le Claire said and I will say why. The Deputy of St. Mary touched on Clothier and it is interesting the people who, let us say, adopted Clothier, we have not got freedom of information because there was a cost that has been taken out. We have not got a public sector Ombudsman because it has been taken out and we have not got the resources that it said Members needed to do their job properly. Now, whether Members use them is a different issue; the fact is they are there but you have to look around for them. It is not that long ago that you could not get a piece of paper photocopied, that was fact; that was the situation as an individual Member if you wanted to photocopy something you had to find your own way of doing it, that is a fact. I remember a few years ago I had to do some research into the dairy industry and I wanted to get information from Guernsey and, again through the Greffe, contacts were made, messages were left and about 3 weeks later - these are the days before internet and emails and stuff - a brown envelope turned up with the stuff in and that is what it was about. I will just give another example: if a Member wanted to research Sunday Trading, how would you do it? How would you do it? That is an issue, believe you me, that goes back many years, there have been propositions, there have been working groups, there have been all sorts of things. How would you collate that information so that if you wanted to bring something to the House or you wanted to put a case in the House, how would you do it? Because for me that is what this is about. For an individual Member to put information together on Sunday Trading, believe you me, would be time consuming and without the assistance of the Greffe, which I must say, is welcome at times and without it many of us, as I say, would really, really struggle. **[Approbation]** There is another issue, I am thinking of funding, I remember Deputy Duhamel not that long ago was doing some work into waste recycling and he wanted some resource to assist with that and it was not there. How does an individual Member do that... and it was with some difficulty. The other thing is there is a cost to this but, as somebody has mentioned, there is a benefit. I found out something by accident a number of years ago about consultants that were employed by Planning and the cost was £1 million; they were camping down at Hotel L'Horizon - they were really roughing it. So that puts our lunches in perspective; the cost was £1 million and they were reviewing States properties and considering how we would best set up a landlord and tenant arrangement and we still have not got there; we are still doing that. Drivers Jonas were paid over £1 million to do that about 8 or 9 years ago. So that is the sort of information that Members may be able to get access to if somebody

was doing some research and helping them to do a bit more digging than perhaps we do. I think what that would be, that would be a part of good and effective government. Yes, there is a cost, but there is a benefit. It would also test policy. If there are issues that are coming before us, whatever they may be; it could be the new Gambling Commission for example, where if anybody is sad enough they might want information about the casino debates, of which there have been many. That is another issue; who would get it? I am afraid you would have to rely on the Greffe because some of the things that were there would not be on the internet. I do not think it goes far enough back with propositions and again we cannot just put the words in and search it. So I would say that an individual Member needs some assistance to do that and, in the current climate, I mean that could be a couple of graduates. For example, in the current climate, we could do that, I am sure we could, and we could give a lead to industry that we are asking to do the very same things.

The Greffier of the States (in the Chair):

I do not like to interrupt you, Senator, but the debate is about whether extra money is needed for this, not necessarily the principle of doing it *per se*.

Senator A. Breckon:

Okay, Sir, I am coming back to that. So if we look at the actual cost of £100,000, I believe that we can get a lot for that; others have mentioned, it probably would not be extra money, naturally, it would need to go through the proper process, but we have a room in this building that could be used. There is information that even I have got that could be contributed; perhaps Members will be willing to contribute some of the things, throw less things away, use that as a resource. If you wanted to look at a report, have 4 or 5 of them there, instead of sending them all out, send a note down to say: "It is available, who wants one?" I think we can save money by having this central resource. The other thing, finally, is Ministers and perhaps even to some extent the Connétables, do have some back-up with support if they are looking to do something; Parish Halls have offices. If somebody inquires about something about a road going back to whenever, somebody could look at that within the Parish whereas a Senator or a Deputy would not have that resource. For the Executive, it is just a case of if the Minister for Economic Development asked officers to look at Sunday Trading, they would do that. They would do that. We do not necessarily have that resource if it is a Scrutiny subject then it could be done but the money is not there for individuals to do it and this money, I think, could be well targeted, well spent and would be, I think, more effective government. So I will support this extra money.

6.1.6 Deputy R.C. Duhamel of St. Saviour:

In the good old bad old days of the committee system, a number of Members - and it was a well-known debating ploy, due to the fact that they sat on more than one committee - ostensibly used to carry more than one view and quite often, for a lot of the time, those views were diametrically opposed so they used to be accused of taking one hat off and saying one thing and putting another hat on and saying something else as if you know from Doctor Doolittle's film riding the 2-headed llama, the pushmi-pullyu. I am reminded very much of that film by the comments from the Deputy of St. Mary because it is only yesterday - and I know it is already in the dim and distant past, well it is in my brain anyway, because it went on for such a long time - that we did have views being expressed about the wrongness if you like of this House endorsing continued growth in the system, whether it be the administrative system or any other ways of spending taxpayers' money. Yet today, we have the contradictory position perhaps being put forward by the Deputy of St. Mary that we should be increasing the budget and not working inside the resources that have already been given over for what he would like to see the money spent on but seeking to inscribe further monies from the taxpayer on something that we could quite easily do within the unspent monies of the Scrutiny Panels. So what is the problem? I think it is only right: I was a new Member once a number of years ago and it does take a while before you realise that there is an element of futility, thinking of the words of Deputy Le Claire from a day or 2 ago, about going over old ground and

seeking out not the poor reports of... what is the musical thing that is just flashing through my mind; I want to stay focused, all right. But seeking out reports that could be deemed to be considered irrelevant and certainly I will be possibly repeating some of this when we get to the town park debate because some of the papers that have turned up on Members' desks sent around by other Members - by the Deputy of St. Mary and others - if you look at the contents, we are being very, very picky and choosy as to what is being sent out in order to try and make an argument from documents that do not bear any relation to the arguments that we are discussing at present. Now, it may well be a very good political kind of argument in order to make your points and to be very selective in order to try and justify your position; I think we all do that at times. But I think it must be fundamentally wrong to set up a whole department whose prime aim might well be to go over the old coals and it raises in my mind - particularly since we have no quality control as to what goes into making an argument or not as the case may be - that from the department point of view or from the political point of view, in the absence of a quality control to say what are the priority arguments in an argument for a debate, how do you judge as to the importance of the things that are being put on your desk? In this day and age we are flooded, we are inundated with information on the internet, on the T.V., in the media, newspapers and what have you. I must admit, I was surprised at the depth of the Deputy of St. Mary's research; he did inform the House that he had found out that there were 24 hours in the day and 7 days in a week; well, that is fine, yes, but I certainly do not have all of that time available to go over all the old papers, trying to make up arguments that may or may not be valid. I think we have to be selective, obviously, in what we are looking at. But to go back too far, how far do you go back? You know, we could go back, if we are talking about harbours, or whatever - harbour revisions - we could go back to... well, I think we have had 7 different harbour revisions. Do we go back before George II when he found the monies? How far do you go back? It is a crazy, crazy set of affairs. One last comment, we do have another debate coming up put forward by Deputy Tadier, and that was to use the public library or the building that was given to the Island as a public library and, in this new spirit of wanting States Members to pay for what they use, it might well be an opportune moment to perhaps float the idea of States Members using their States Members expenses not only to pay the rental on the library building that would be available for us for the Deputy of St. Mary's library...

Deputy M.R. Higgins:

Sir, is this not a matter for a later debate rather than ...

Deputy R.C. Duhamel:

It may well be, Sir, but I am not giving way; I have only got about another 30 seconds. Please bear with me. So there is an opportunity perhaps for paying the rental out of our States Members monies and perhaps we could go a stage further and seeing as we are talking of a moot £100,000, well, why not all put forward £2,000 out of our States Members expenses into a central budget to pay for these facilities? Now, if they are generally agreed as to be needed and required and we cannot do our jobs properly without them then perhaps we should be, instead of spending those monies on other things, spending them on something which could be said to be more important. But I will wait for other Members to come forward with that proposition. But in the meantime the monies exist within the budgets that have been set aside for the Scrutiny, we have 2 panels that are set up to oversee Members' facilities - P.P.C. and the Chairmen's Committee for the all the Scrutiny Panels - and I think it is a case of spending inside our resources first before we come to this House making claims to grow the budget.

6.1.7 Deputy R.G. Le Hérisier:

I am very ambivalent about this one. There is no doubt here that the power of the Back-Benchers has to be strengthened in this House but obviously I have always been of the view that if it is to be strengthened in an effective way as opposed to 53 people going off in many directions, no doubt doing a lot of creative and good things, it will have to happen through something like Scrutiny and,

dare I mention - the love whose name may not be expressed - political parties. It will have to be expressed in much more organised way. Certainly, we in Scrutiny have to look much more closely about the way we do look at research and I know we took a cut in our budget which my committee was responsible for, it has to be said, but Scrutiny at the moment is not constrained by the lack of research money, it is not constrained by the lack of budget, as we have seen from the surplus, it is constrained by the lack of Member involvement; that is the current constraint. **[Approbation]** Members have to look very closely at themselves, those who are not actively involved in such an activity, as to whether they could contribute more effectively in a group; not a group-think sense, let us put that to bed, in a group sense rather than flying totally alone. I have got no problem with people flying alone if they have campaigns they wish to mount, if they have particular interests, if they have a particular background that they can bring to this Assembly, all well and good; that is wonderful. But so much falls down on that particular point. So Scrutiny itself, we have to be much more honest but there is a real constraint and that is why, paradoxically, we are not using the budget; it is operating at a full level, whether it is optimal is indeed a big question. We have to be quicker in some of our responses, we have to be more assertive, as Deputy Vallois has told us from time to time, and we have to learn to be lighter on our feet. There are big issues we have to look at and hopefully, when we do that, we can start cracking some of the issues which I thought Deputy Le Claire expressed very eloquently. I do not know why we are having this debate, we all believe that in the best way possible the role of the Back-Bencher has to be strengthened; whether it is the roots which the Deputy of St. Mary has outlined, I do not know; I certainly do admire the very conscientious way he does research but whether the improvement of the counter-balancing Back-Bencher role is that way, I do not know but it seems, as you intimated, and as Deputy Le Claire intimated - and here I am being a hypocrite - it seems the money is in the budget, P.P.C. are working on the role of Back-Benchers and the support that is required for Back-Benchers, it is a win-win already and why people like me are speaking I simply do not know. **[Laughter]**

Deputy M.R. Higgins:

Sir, can I seek a point of clarification from the chairman of P.P.C? Am I right in saying that the money that is in P.P.C.'s money, that the surplus that the Deputy of St. Peter mentioned is really for the Scrutiny function, it is not for individual Members and you would have to come back to the House to seek acquiring the monies for something else.

The Greffier of the States (in the Chair):

The chairman will be able to address that when she speaks perhaps. I call the Deputy of St. John.

6.1.8 The Deputy of St. John:

I have a lot of sympathy for the Deputy of St. Mary on this one given that over many years some of probably my best work has happened when I have used the help of research assistants; even as recently as when I did the debate on Harcourt, which I believe saved the Island millions of pounds. But all these things do come at a cost. The reports that I get from the House of Commons generally cost me - because you get them through the Bookshop there - but they generally cost me £25 upwards to get reports. I do not object to that at all because to me it is all part and parcel of my research but if I had somebody - and I can understand exactly where the Deputy is coming from - somebody that I could have and do far more research, I could be far more active within the Chamber. As it is now, I have to do my own research and many of you know, and I think it common knowledge within this Chamber, Rondel does not generally put a question at question time unless he knows the answer. But the answer needs to be brought out into the public domain; that is why I put the questions because otherwise the public do not know what is going on. I understand exactly where P.P.C. are coming from, and I understand the Deputy of St. Peter's comments but P.P.C. unfortunately in the short time I have been back in the House have not been very successful in bringing some of the bigger debates forward. So I can really understand that if they can move money across to support Back-Benchers and research, fine, but if they cannot then

we could be back debating this all again at a future time because there is definitely a need for support for the Back-Benchers. Within Scrutiny it is not a problem; we have our officers within our Scrutiny Panels who assist us most greatly and I am very fortunate with my officers on the Environment Scrutiny Panel, they do an excellent job in supporting us and bringing forward all the necessary documents. But when you want to bring, as a Back-Bencher, something forward there is an awful lot of work, as we all know, in doing the research and to win it you have got to put your heart and soul into it but at the same time you are probably doing 60 hours' work, 70 hours' work a week and to be able to do the research as well as all the remainder of your States business, it is very, very difficult. So therefore although I do not know at this moment - I am going to hear the rest of the rest of the debate - if I am going to support or not, I have got an awful lot of sympathy in where the Deputy of St. Mary is coming from.

6.1.9 Deputy G.P. Southern:

I am referring briefly back to a previous debate, here we go; thin end of the wedge and now we are being asked to contribute £2,000 towards a research facility. I knew it would not take long but I did not think it would be that quick before somebody was after our remuneration package following the earlier debate. Still, so it goes and once again I am impressed by the rapid way in which the Deputy of St. Mary has got up to speed within a year and put his finger exactly in the right place time and time again over issues that have been dogging this House for many years and this is one. He presented this morning a very clear, concise and beautifully argued case that we needed something extra, which had been pointed out many, many years ago, in order that we should function properly; and we do need - as Back-Benchers - additional facilities. The case he put forward specifically for a librarian and a research facility was very well argued and put. Of course, many people around the room, as soon as a Back-Bencher starts and proposes something such as that, invent, create reasons not to. There are many ways in which we can do that; time and time again I have seen it. As one who struggles to do sufficient research in order to produce Back-Bench propositions which address serious issues, I know all too well what the difficulties are. One of the arguments against what has been proposed is that P.P.C. are already getting on with it. Well, excuse me if I am somewhat cynical, particularly today after 7 years, but I have seen P.P.C. committees come and go and their previous equivalents come and go and, quite frankly, in terms of action I remain singularly unimpressed. In particular, I refer to 2 things recently: the review of Ministerial government produced by P.P.C. was a shockingly researched and woeful piece of work; there appears to be no faith in what P.P.C. might come forward with. Similarly, many of the elements of the electoral reform paper that came forward, not least 39A, were shockingly under-researched and badly understood in terms of what the real democratic process is involved in. So I do not have faith that that £300,000 which is already under pressure, I think, from a Scrutiny function which wants to expand its capability, and certainly will be bidding for some of that under- spend, I do not believe yet that I have heard a guarantee that P.P.C. will come forward in short order. Because that is the other problem with any committee; you get a very lengthy time-consuming designed camel often rather than the horse that you set out to get. It all takes time. I personally have no faith that P.P.C. can bring forward the right order of change in order to produce what is a dire need in this Chamber. The Deputy of St. Mary has concisely, effectively and thoroughly done that; I believe we should be voting for this amendment.

6.1.10 Deputy M. Tadier:

First of all, just to address a couple of points that my colleague here on my right - Deputy Duhamel - made. I was quite perplexed by some of the suggestions that maybe States Members should rent the library that we own as the States so that we might be able to use the facilities in it. You could argue: "Why stop there and maybe we should just rent all of the properties that the States work in; in fact let us not take a wage at all and let us pay to work here in the States." Perhaps we could also ask teachers to pay for their own staffrooms or for the privilege of running their own libraries. Nonetheless, I think there was a grain of truth in what the Deputy was saying -

and I do not want to misconstrue him completely, otherwise he will stop talking to me - that is that there is possible scope for looking into expenses that we get and that is something which is being undertaken by P.P.C. Nonetheless, I do agree with the principle of this proposition; I think if we want to be taken seriously as a jurisdiction, which is increasingly raising its level of international prominence, I think it is important that we do have a government that matches and we often talk of ourselves as a nation and we have a national anthem which nobody likes and nobody chose, but nonetheless we do have a national anthem although it is a moot point whether we are a nation or not. So we should certainly have a library if only that we can take our Commonwealth buddies round when they visit just to impress them with and, who knows, maybe Members could also use it to read some books and do some research but obviously that would be just a secondary purpose of it. We cannot compare ourselves to the great nations like the U.K., or I was recently in Portugal and I was quite bemused to notice that in their Parliament they have a post office downstairs; it was not very well used in August although they were still paying someone to sit there and do very little work so it just goes to show what is going on. I think it is imperative that we do have better facilities; I would like to see offices for every States Member in the vicinity of the Royal Square offices which are modest and perhaps shared so that we can be more productive. But as we have heard already, the money is available and P.P.C. has got access to some of that money if it is needed. I would perhaps, to part company from the previous speaker who is more cynical about what P.P.C. is able to achieve; perhaps he has a slightly jaundiced view based on the previous P.P.C.s that have been around. Obviously things are not always as quick as we would like them to be; P.P.C. in its very nature is made up by a diverse group, which is healthy, but it obviously does mean that we all have different opinions. If it is any help, I can certainly give Members here assurances that I for one will be pushing for better facilities and I will be making the case and I know that there are other Members on P.P.C. who also feel very strongly that there are inadequacies in our system; certainly for Back-Benchers who may or may not be involved in the Scrutiny function who nonetheless have very valid work and research to carry out when we compare ourselves to our Ministerial counterparts who have departments and also to Scrutiny who themselves have resources. But Back-Benchers who choose not to be in either of those functions, rightly or wrongly, who nonetheless do very good work should, I feel, have access to resources. So I would simply say that I will support the proposition in principle but I will do that by voting against because I believe that this is something which P.P.C. is pushing for and, if we make no headway on P.P.C. in the next month or in the next year, I will certainly make sure that I will be the one working with the Deputy of St. Mary to bring the proposition so that we make sure we are funded.

6.1.11 Deputy T.M. Pitman:

Very much in the theme of Deputy Tadier's speech and Deputy Southern, I too have to share Deputy Le Hérissier's conclusion that the real reason Scrutiny struggles sometimes is because not everyone has played a part; I have been quite vocal on that and it is a real limiting factor. Nevertheless, I think it is something that nearly all of us would agree in the Assembly that an upgrade in facilities is desirable and it is needed. It can, after all, as I think the previous speaker said, only improve governmental performance; it is the issue of whether this is the best way to achieve it. The reality is that we are now seeing more and more creeping inequalities within the States like highly expensive Blackberries being given, not just to the Ministers now but Assistant Ministers; not to mention bills - and quite big bills - being paid for the chosen few but not others; that really needs to be looked at as an impact in this area. Considering the Deputy of St. Mary's proposals, indeed the reality that the expenses that we have got - let us not confuse them with the salaries - but the expenses that we have got do not even cover the rental of an office; that is a fact. I know that from Deputy Pitman's in the heart of her district in Winchester Street. They have not kept pace with the reality of Jersey life so for some suggestion then we are going to all have to pay for rental of other things I think is really confusing a lot of issues. I have got the same questions as Deputy Higgins and perhaps P.P.C. can clarify and give assurances that we would need really about

whether this money, this over-spend that is available, could be guaranteed as being provided for what the Deputy of St. Mary is proposing. Without those assurances - and I do not know if they are even in a position to give them to be fair - I think I would have to support the Deputy of St. Mary; we need to know if those funds can be redirected. I am quite surprised that it is such a big sum but, fine, let us make sure it is used for what can only be positive for democracy all round. Yes, it will certainly help Back-Benchers keep the Executive in line - check and balance as it were - it is absolutely a valid use of money. I cannot really say which way I am going to vote until I hear what those assurances are and if they can be given at all. Thank you.

The Deputy of St. Mary:

Can I raise a point of order, Sir? I have been listening to this obviously very carefully and I have heard what people have been saying about this question of the money being there and whether or not we can trust P.P.C. so that is why I have had to obviously let it run a little bit but I am aware of the time - as we all are - and I think it might be helpful, I do not know whether it is legitimate, but I am sure the Chair can make it legitimate, to ask P.P.C.'s chairman to speak next because then I would be able to perhaps graciously withdraw this amendment but on the condition, obviously, that the guarantee was there that these funds are transferable from Scrutiny, where apparently there is an under-spend, to this function which I am proposing because I do need, and the case has been made for ... well, I will not go on but I would just like to ask whether that could be done.

The Greffier of the States (in the Chair):

Are you able to address the Assembly, chairman, because it perhaps would assist the Assembly to move on?

The Connétable of St. Mary:

Sir, I am willing to assist the Assembly but I would prefer to speak to later on my other point. I can give a point of clarification if one is asked for, Sir.

The Greffier of the States (in the Chair):

I only have one other Member waiting to speak at the moment but ...

The Deputy of St. Mary:

I think that would be useful just to have the clarification then please, if that is all right.

The Connétable of St. Mary:

My understanding is there is an under-spend, the under-spend is on the Scrutiny budget. The proposition calls for funding to be brought back and used for the work of Members in their capacity as private Members. Therefore, it would surely be for all Members, whether members of the Executive or members of Scrutiny. So that would, I am afraid, as I understand it, require a decision with the Chairmen's Committee agreement to reallocate it to a research function which would be available to all Members. That would have to be, also, I believe a States decision to set up any facilities that we decide. So as it is worded, it would require a States decision and a Chairmen's Committee agreement to reallocate the Scrutiny budget to all Members.

The Greffier of the States (in the Chair):

If you are not going to withdraw at this stage then we must continue the debate.

The Deputy of St. Mary:

It sounds like less than a cast-iron guarantee because it has to go through 2 separate stages. On the other hand, the money is there. So I am a new Member, I did not know that this would happen. P.P.C. obviously have to do a process; I have never said anything else, and then once they have made up their minds, having looked at other jurisdictions what is appropriate then what happens?

The Greffier of the States (in the Chair):

I think if I could assist from the Chair, my understanding of what the chairman was saying is that the under-spend is in a Scrutiny area and clearly she alone cannot give this Assembly a guarantee that she would have an authority to spend Scrutiny money. She would need to discuss that with the Chairmen's Committee and no doubt come back to the Assembly to say: "Are Members collectively willing to reallocate this money which, for a number of years, has not been spent in Scrutiny, for a new function." I do not think she can give the guarantee you are seeking unilaterally. I think that is why perhaps she was slightly more hesitant that you were hoping.

The Deputy of St. John:

Sir, on a point of clarification, as a Member of the Chairmen's Committee we have been looking at supporting Back-Benchers in this particular way and we heard, in fact I believe the letter has gone or was going to the P.P.C. in that frame. I do not know if Senator Ferguson can add.

The Greffier of the States (in the Chair):

Do you wish the debate to continue, Deputy, because I have another speaker who wishes to speak?

The Deputy of St. Mary:

I think, Sir, that it is probably best to leave this for now. If the Chairmen's Committee cannot find their way to making sure that the work of P.P.C. in this area to make sure that we do have enhanced facilities and not just the ability to copy something, really enhance facilities, then if the Chairmen's Committee will not support that then obviously there will have to be another proposition. But that would be bad government; we should be doing it the way it should be done and the resources are there, the mechanism is there and it seems to me that is the way we should go. I would hope that both P.P.C. and the Chairmen's Committee would take quite a steer from this debate that there is a need for ... many people have made a cogent case for the need and so I think on the basis of good faith ...

The Connétable of St. Mary:

Sir, if the Deputy would give way. As has been said by many people, there is a review under way; I would not like to prejudge what the outcome of the review would be. We have had, I believe, 28 responses from Members and there are a couple more in the pipeline. If anybody wishes to give a response to the questionnaire, it will be accepted as a late questionnaire and on the basis of that questionnaire, we will take the matter forward as appropriate.

The Greffier of the States (in the Chair):

Are you seeking leave for the Assembly to withdraw the amendment, Deputy?

The Deputy of St. Mary:

Yes, Sir, on the basis of good faith [**Approbation**] and in the light of that really excellent response that Members have given to that, I withdraw this amendment, Sir.

The Greffier of the States (in the Chair):

Very well. Are Members content to grant the Deputy leave to withdraw the amendment? Very well, well that concludes the debate on the amendments to paragraph (b).

7. Draft Annual Business Plan 2010 (P.117/2009) - paragraph (b) - as amended

The Greffier of the States (in the Chair):

Does any Member wish to speak on paragraph (b) as amended before the Assembly moves to paragraph (c)?

7.1 Deputy D.J. De Sousa:

I am just going to be very, very brief. The main reason that I cannot support (b) is because included in there is a statement about the pay freeze and the House knows how I feel on that so I will be voting against this.

7.2 Deputy G.P. Southern:

Ditto.

7.3 Deputy T.M. Pitman:

I do not know if you can say double ditto but ...

The Greffier of the States (in the Chair):

Do you wish to reply, Minister for Treasury and Resources? Deputy of St. Mary.

7.4 The Deputy of St. Mary:

Yes, sorry, Sir. I mislaid the sheet that tells us what is happening next. Yes, (b). I just want to say a very few words but I felt that the remarks of the Minister for Treasury and Resources in introducing (b) had to be challenged. The remarks were of course by way of conditioning the debate that would follow, which is fair enough; that is what opening remarks do and that is why I wish to make just 2 comments, I think it is about what the Minister said. He said we may have to increase taxes and charges; well, I am pleased to have that admission and this is indeed inevitable. I just want to remind Members, and the public indeed, that it is very unfortunate that the timing of this is so unfortunate; that we will be going to the public in a time of downturn and saying: "We are going to have to take more of your money now to simply fulfil our obligations as a government to the people." So it would have been so much better to have planned ahead, to have taken that money aside to reduce inflation in the past when the going was good, counter-cyclical so that now we would be in a better position and it really is not good enough to say: "Well, we are in a hard place now, we have got to be very, very disciplined and tough" because we should have been more moderate before, we should have been more moderate with the amount of money that people had sloshing in their pockets years ago which was causing dramatic inflation which caused serious damage to our tourism industry over the years and the government sat back and it was effectively the same government so that is why I point that out. The second issue which just cannot go without comment is this matter of higher standards of living. This appears to be the be all and end all of the Minister for Treasury and Resources because I believe that, by higher standards of living, he means that people have more money in their pocket. He also used the phrase: "The standard of living has improved." Will the Minister confirm in his closing remarks that he really does think that the only thing that people want that they put above everything else is the amount of money in their pocket because, in my book, and I believe in the books of any reasonable person, there are other things that are more important. Indeed, we discussed this in a little group that I was in once, what are the most important things in your life? I will not forget ever the answers that people came up with: their family, their friends, their relationships. That is the first thing, and the second thing is your health because it is irreplaceable; you have only got one health and if you lose it, then you suffer from ill health. Then you have your environment, the quality of the very air you breathe, the soil you walk on, the trees you look at and the urban environment that you might come to work in or that you live in. Those are the things that really, really matter and I just ask the Minister to confirm whether he believes still that what is of ultimate importance for this government is how much money people have in their pocket. He is treating Homo sapiens as Homo economicus; consuming man or woman and, sorry, I have a higher vision of people than that and I hope that the public share a different vision of what life is all about. So I just felt that those remarks had to be made.

7.5 Deputy P.V.F. Le Claire:

There have been some groans from States Members, possibly I think I am just as guilty at times when people have risen to speak, and I know it has happened with me as well but I would just like

to say a couple of things: one is I think the input from the Deputy of St. Mary, as I have said before, has been vital at certain periods of this debate and I really do welcome and encourage him to continue his work because, although he may be discouraged from time to time, I think he has shown this afternoon by withdrawing his proposition in good faith that he is a man willing to bend and to move and to listen and be persuaded. He is also a man that works hard and I think that we owe him a debt of gratitude for the quality of the debate that we would not have had had he not stood up at the end of part (a); we would have been straight into part (b). So I would like to congratulate him there. The second thing I would like to say is in support of what is being said by 3 of the Deputies that were at the meeting of the States employees. In my view, to freeze the public sector out of negotiations in relation to their pay is a complete shot in the foot, not only for the Council of Ministers but for the States of Jersey, and it is a disgraceful action upon those people that we always see the Council of Ministers standing up for at every opportunity. If a States Member is stupid enough to stand up and castigate the workforce or has good enough reason to stand up and castigate the workforce, we invariably see the Ministers standing up and deriding that Member's contribution because of the fact that they value their workforce so much. What we have seen with the pay freeze - which this is asking us to support which is why I will not be supporting it - is devaluing the services and the value of those services. We are always focusing on what it costs the Island, we never look at what the services provide the Island and we demean and diminish the contributions in a demoralised workforce at a significantly diminished period in this economic cycle of humanity's ever-forward motion. Somebody remarked to me only last week that the fortunes of the Island are somehow intrinsically linked to the rate of sterling and, with the deposits in Jersey not accruing very much money, then there is obviously that tilt into the economic factor as well. When the interest rates go up then invariably the money on deposit will accrue more interest and the States can derive more money from that so there will be a surge of cash. How many times have we seen in the past Ministers for Treasury and Resources standing up and saying: "We have found another £20 million, we have found another £30 million, we have found another £60 million." Now I certainly do hope that the Minister for Treasury and Resources is able to say that at the end of this year. I do reiterate what I said before; I stand by what I say; I believe this Minister for Treasury and Resources has the ability to pull us through a difficult time. Now, we may not all like the Minister for Treasury and Resources and we may like the Minister for Treasury and Resources but one thing is for certain, he gives his all. He has given his all since he came to this Assembly and he continues to give his all. **[Approbation]** We may not like some of the politics that he has a heart for but we cannot deny the fact that, like Deputy Southern, in another extreme, he also gives his all. So I am going to support him when he brings his fiscal muscle and application to the task at hand as much as I support Deputy Southern when he brings his social muscle to the table and I hope Members will join me in doing that as well. I am sorry to say I think it has come time now when we are seeing this sort of position. Okay, the result of an economic crisis around the world but nevertheless it has happened; we are now freezing States employees' pay, not even allowing them to come to the table. We are now at the position where we must, and I am sorry because it is not my job, I will be part of it but the reality is it is down to the Minister for Treasury and Resources and the Council of Ministers. They have got to go away and look at this finance industry of ours and what it is paying this community to be here. Because it does pay the vast majority of what the States expends but what we do witness today is that the money that it is contributing or is able to contribute during tough periods is not sufficient to sustain adequate respite services for those most in need and also the rise in incomes in relation to inflation, that we need to keep up with this industry that is able to employ people to come and habitate property in this Island that drives up the cost of living in this Island much to the detriment of the ordinary people who are now finding, as has been witnessed, getting on to the property ladder nigh impossible. I will be voting against this, I will be pleading to the Minister for Treasury and Resources: "Go back and think again about what it is the finance industry is doing." Perhaps the Emergencies Council, next time it meets, instead of trying to plan for a big fire in a hotel can plan for the withdrawal of the finance industry and what we would do in that emergency because that is more of a real application

of what is likely to happen in the next 20 or 30 years. What if we see a significant downsize in the finance industry and are we ready for it? What would we do? Where would we cut services? How would we continue? I would add my vision or understanding, as one might put it, there are ever-increasing calls from international organisations to come to this Island and undertake and participate in our opportunity for tidal power. I had another telephone call yesterday afternoon from another developer who has developed another tidal turbine that wants to come to Jersey and meet with Ministers; I am trying to facilitate that. There will be a wealth of opportunity for all skills and all individuals if tidal power is taken more seriously on board as a future industry that has sustainability at its core. The finance industry, as much as we like it or loath it, looks after the ones we love but it will not be here at the level it is at for ever.

The Connétable of Grouville:

On a point of information, Sir, may I just interject? The Deputy is well aware that there this is a Tidal Power Commission here of which I happen to be the chairman. We would be very interested to hear from anybody but at this stage, we are still in the deep research stage of mapping the Island waters and trying to find out what assets we have. At the moment we do not have anything to sell. What we are trying to do is to find out the valuation of what we have; after that we will be very happy to talk to anybody who wants to come and talk to us. At the moment what I am trying to do is pull the Islands together to try and work as one in the sale of this sort of energy but everything must be done unfortunately, not slowly, but certainly logically and in a very metered manner.

The Greffier of the States (in the Chair):

Let us not have a tidal power debate, Constable, if we can help it.

Deputy P.V.F. Le Claire:

Just in conclusion, the actual answer I gave the inquirer was that I would be delighted to introduce him to the Minister and provide him with the information that he was seeking which was the information in relation to the tidal energy source at hand and I did mention in my reply that I would be introducing him to the Chairman of the Tidal Power Commission, the Constable of Grouville.

The Greffier of the States (in the Chair):

I call on the Minister to reply.

7.6 Deputy M. Tadier:

Sir, sorry; I did have my light on. It was obscured by the good Deputy of St. Mary. I was also holding out to see if anyone of the Constables wanted to speak. That is another reason; but I am too honest, I should not have said that. The Business Plan debate, like the Strategic Plan, is a curious debate and it is probably flawed on many levels and I have heard it was certainly said of the Strategic Plan. Many of us find ourselves in a curious position because I think in the last couple of days we have achieved something good and worthwhile. We know that earlier today we decided to vote for extra money for carers and that was adopted unanimously and we also saw the need to allocate significant funding to Health which was also needed, even though many of us had different views and a lot of Members said that we should not have been in this place in the first place. The reason we are in a curious position, why I find myself unable to support this, is for various reasons. I will not be able to support part (b). The reason - there are several reasons - first of all, as has been previously mentioned, is that much of it is based on the exploitation of our workers and we know that has been said. It may well be the case that no pay rise is necessary this year but the point is the negotiations have not taken place; that has been a complete abuse of process. It was not the Employment Board's place to do that and I think that was a completely mistaken thing to do and it is disgusting. But it goes further than that because the thing is, as Deputy Le Claire quite rightly pointed out, here we are basically endorsing the Strategic Plan, because none of us on this side of the House in many ways agree with the Strategic Plan; it makes an absolutely nonsense that we should be supporting any Business Plan that is there to finance the points and objectives laid out in

the Strategic Plan. So in many ways it certainly I cannot vote for it; I will either have to abstain or vote against it but probably abstention is the most logical thing to do because I have no part in this. It was said yesterday that this is the Council of Ministers' Business Plan. I think it was quite rightly said that as soon as the House adopts it, it becomes the States Business Plan. But certainly it is not one that I can own, just as the Strategic Plan is not one that I can own because it has ignored all the major potential crises that are coming over the hill or that we are already facing to do with the environment, to do with peak oil, to do with the provision of social services, who should pay. Basically it is a bankrupt system which I cannot buy into. We have also heard about diversification. It would seem that the Council of Ministers see the way to diversify the economy is to invest in the one industry. So when the question is asked what is the States doing to safeguard against finance leaving or part of it leaving or downsizing, they say what we are going to do is invest in finance. So in fact rather than getting another basket and putting their eggs in it, they decided we will put more eggs in one basket because even if there is a disaster then it is more likely that some of the eggs will not break. That is effectively what we are being told. Rather than having different eggs in different baskets or even having other kinds of dairy produce which may be not of the egg variety. But that is far too difficult for some Members to grasp unfortunately. This is the reason I cannot support it. It is based on the exploitation of the workers. The values in it are morally and ethically bankrupt. I can have no part of it so I certainly will not be supporting.

7.7 Senator A. Breckon:

Just for the record, I did say I think it was a couple of clean shirts ago when this paragraph started that I did feel somewhat conflicted in that it refers to a pay freeze in 2009/2010 and an increase in 2010/2011. For that reason I will be abstaining. I know it is about more than that but I feel that is the right thing for me to do.

7.8 Deputy A.E. Jeune:

I do not understand why some folk believe the States of Jersey employees are Teflon coated. I am aware of companies who have not given their staff pay increases for the past 2 years and others where there has been a reduction in pay. I will be supporting.

The Greffier of the States (in the Chair):

I call on the Minister to reply. I just point out to Members the usher has distributed the revised figures agreed for paragraph (b).

7.9 Senator P.F.C. Ozouf:

Deputy De Sousa, Southern, Pitman, Tadier and Le Claire all referred to the pay freeze. We are obviously going to come to the debate on the rescindment of the pay freeze in 2 weeks' time. But what I would say to them is that it was this Assembly that decided on the pay freeze debate, started by the Deputy of St. John and then further decisions. It was a decision of this Assembly in order to remove the arrangements and the budget for the public sector workforce pay. I am not giving way, Sir. I think we have come to that debate. I would respectfully say to those Members that the public sector wage amount for next year does include a figure of 2.8 per cent for June of next year. As far as the Deputy of St. Mary is concerned, he and some of us share a view that we should be looking at not just economic growth in terms of improving the lives of individuals. He believes I think very passionately that the developing world should be better looked after and better safeguarded. I would say to him and I would ask him why is it that governments around the world pursue policies of economic growth to lift millions of people out of poverty. **[Interruption]** He has had his say and I am going to just have mine. That is the reason why he asked me what the political philosophy is. It is a financial debate but as far as economic growth is concerned, it is economic growth that lifts people out of poverty. In terms of Deputy Le Claire, I thank him for his very generous comments. I would say to him that if he does not agree and those other Members that do not agree with this schedule of figures then there will not be in any money in order to run the public sector

next year. So Members may well vote against it but effectively this is the decision which requires us to inscribe in budgets, amounts of money next year. Therefore, they must be clear that in voting against it, they are saying there should be no money for Members at all. Deputy Tadier raises the issue of preparing for the future. Buried in these amounts of money and allocated to Treasury, Chief Minister's Department and others is a huge work programme to deliver and to work out what Jersey is going to be doing in the future. As far as the Treasury is concerned, we have got 3 major projects: improving financial management, restructuring the Treasury. We have got a comprehensive spending review getting to the real core of the issues in the major spending departments, as Members will see from the schedule, and also a review of the fiscal strategy which is going to require a lot of engagement with Members and engagement with our Island community. I think in the next few months we are going to see governments around the world making difficult decisions and being very honest with their voters in terms of the realistic amount of tax they have to pay for their services. It is my job to make sure that Members are informed and can have an informed decision and a set of choices in relation to that. I undertake to do that to the best of my ability. There is a revised schedule. It takes account of all of the changes that Members have made: the Senator Shenton proposition, the Minister for Health and Social Services' proposal, the £2 million and the £900,000 for a Social Security health insurance fund. So I make the proposition and I ask for the appel.

The Greffier of the States (in the Chair):

Yes, the appel is called for. The vote is for or against paragraph (b) of the Annual Business Plan as amended. Members are rushing to their designated seats. I will ask the Greffier to open the voting.

POUR: 32		CONTRE: 8		ABSTAIN: 4
Senator T.A. Le Sueur		Connétable of St. Lawrence		Senator A. Breckon
Senator P.F. Routier		Deputy G.P. Southern (H)		Deputy M. Tadier (B)
Senator P.F.C. Ozouf		Deputy P.V.F. Le Claire (H)		Deputy of St. Mary
Senator T.J. Le Main		Deputy S. Pitman (H)		Deputy M.R. Higgins (H)
Senator J.L. Perchard		Deputy of St. John		
Senator S.C. Ferguson		Deputy T.M. Pitman (H)		
Senator A.J.D. Maclean		Deputy D. De Sousa (H)		
Senator B.I. Le Marquand		Deputy J.M. Maçon (S)		
Connétable of Trinity				
Connétable of Grouville				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. Saviour				
Connétable of St. Clement				
Connétable of St. Mary				
Deputy R.C. Duhamel (S)				
Deputy of St. Martin				
Deputy R.G. Le Hérisier (S)				
Deputy J.B. Fox (H)				
Deputy of St. Ouen				
Deputy of Grouville				
Deputy of St. Peter				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy S.S.P.A. Power (B)				
Deputy I.J. Gorst (C)				
Deputy A.E. Jeune (B)				
Deputy A.T. Dupré (C)				
Deputy E.J. Noel (L)				

Deputy T.A. Vallois (S)				
Deputy A.K.F. Green (H)				

8. Draft Annual Business Plan 2010 (P.117/2009) - paragraph (c)

The Greffier of the States (in the Chair):

Very well. We move now to paragraph (c) of the proposition relating to the trading operations. I ask the Greffier to read that paragraph.

The Assistant Greffier of the States:

(c) to approve the summary set out in Part Three of the report Summary Table B, page 95, being estimated income and expenditure and estimated minimum contribution, if any, that each States trading operation is to make to the States consolidated fund in 2010.

8.1 Senator P.F.C. Ozouf (The Minister for Treasury and Resources):

Yesterday I erroneously drew Members' attention to the report of the Strategic Plan. I meant the Business Plan. If Members want to turn to page 95 of the Business Plan they can see the financial returns for the 4 trading entities which includes the car parking account and the total return to the centre of £2.4 million. I make the proposition.

The Greffier of the States (in the Chair):

Is the paragraph seconded? [Seconded]

9. Draft Annual Business Plan 2010 (P.117/2009) fifth amendment (P.117/2009 Amd.(5)) (paragraph 1)

The Greffier of the States (in the Chair):

Now there is one amendment to this paragraph relating to the Car Parking Trading Fund under the name of the Deputy of Grouville. I have exchanged emails and notes with the Deputy in relation to this amendment, to the effect that it is almost meaningless because of the way the debate is structured to debate this amendment without straying into the subsequent substantive amendment about using the funds for the cycle track. I think with Members' agreement we could allow this debate effectively to stray into the substantive issue of the use of the funds for the cycle track on the perhaps unwritten understanding that Members do not wish to debate that all over again when we get to that amendment. So what I am saying is effectively I would allow the Deputy to explain why she wishes to take the money from the Car Parking Trading Fund and allow the debate about the merits of an eastern cycle track to be debated and discussed at this stage. Then the other amendment would either become effectively consequential or fall away, depending on the outcome of the debate. Do Members feel that is a sensible way to proceed at least?

The Connétable of St. Brelade:

Sir, there are 2 elements to this. One is the method of funding it and the second is the cycle track. While I would support the cycle track, I cannot support the method of funding it so I would like to speak against the first and consequently follow up ...

The Greffier of the States (in the Chair):

They will have to be taken separately. I think for the purpose of debate we must allow it to stray a little bit more widely. Is this an amendment you are accepting or not, Chief Minister?

Senator T.A. Le Sueur:

No, Sir, I think we ought to discuss this. There are a variety of views on this matter and it would be a shame just to let it go through on the nod.

The Greffier of the States (in the Chair):

Very well. I ask the Greffier to read the first part of the amendment.

The Assistant Greffier of the States:

Page 3, paragraph (c) after the words “to make to the States consolidated fund in 2010,” insert the words “except that the financial return to the States from the trading operation known as Jersey Car Parking shown in Summary Table B shall be increased by £500,000 with consequential amendment to the balances of the associated trading fund shown in the said table.”

9.1 The Deputy of Grouville:

I am grateful to the Assembly for letting me take this as one proposition effectively. Many Members of this Assembly will know I have been working on the proposed eastern cycle track for quite a few years now. I pursued this idea because I believe an eastern cycle track would be a wonderful community facility. It would be good for Islanders, good for our health, good for our children, good for our visitors, good for the Island’s infrastructure and good for our environment. From a very slow beginning when I was told that I would not even be spared the officer time to meet with me to discuss my proposal to now where I am delighted to acknowledge that it features in a number of policy documents and various department strategic plans. Plans such as the Transport and Technical Services Draft Integrated Travel and Transport Plan for Jersey, the Council of Ministers *Keeping Jersey Special Report* of 2008, Education, Sport and Culture’s Safe Routes to School policy, Economic Development’s rural strategy to revitalise the countryside and countryside renewal scheme providing access to the countryside with walkways, cycle and bridal paths. It also features in many tourism documents. It features in Health and Social Services’ *Health for Life* and in the draft *New Directions* strategies. So that is 5 Ministries who are now advocating an eastern cycle route. The only ingredient missing from all these well-intentioned plans is the allocation of monies to get the route started. I am grateful to the Council of Ministers for accepting, as I believe they have, my bid for these monies. However, I am struggling to reconcile their acceptance with their comments that were issued and which arrived for States Members over the weekend. Their comments suggest that they want us to wait for yet another plan to be produced, the Sustainable Transport Plan, which will again feature the eastern cycle track. But the Council of Ministers admit that and I quote: “Funding for the Sustainable Transport Plan has yet to be discussed.” The eastern cycle track appears in more than 8 existing plans but we are being asked to wait for another plan to be published, consulted upon, approved, knowing that we will be absolutely no further advanced because that too does not identify funding for its initiatives. I think Senator Shenton made this very same point this morning. With all the plans that have been produced so far which feature the eastern cycle route, a cross-departmental group of about 12 officers from each of the various departments now meet to discuss it. It was, therefore, disappointing given these efforts that none of their departments sought to bring forward proposals to allocate capital funding to turn the talk into a reality. I fear without such funding, these 12 officers will be sitting round the very same table in 5, 10 years time, still no further advanced. What I am trying to suggest is instead of years more of talk time, we allocate some cash so that we can start building the route, hence, my amendment to the Business Plan. The most logical department to initiate the building of the eastern cycle route was, in my opinion, Transport and Technical Services. Even more logical to me was to allocate monies from the Car Park Trading Fund, the logic being that less monies might be needed for car park extensions and maintenance if more people commuted by bicycle. I am proposing that the current financial return paid to the States of £2.2 million by the Car Park Trading Fund be increased by £500,000 which will still leave an operating surplus of £215,700 so no extra funding is required. The transfer will keep the £500,000 within the Transport and Technical Services budget but will instead be allocated under the heading of major equipment, building and civil engineering works, specifically for the construction of an eastern cycle track. I have long since established a group of very enthusiastic people who have been giving their time voluntarily to help me with this project. Thus far we have walked and plotted various routes to form a network. The most obvious commuter route was an up

and over from Gorey through Grouville into St. Saviour and ending up at the back of La Mielle in the heartland of many schools. I am afraid that there is nothing I can do about the hill that needs to be climbed. I say that because one Deputy has already asked me what I propose to do about it. Nothing, is the honest answer but if Members are like me, I prefer the hill to be short and sharp where I dismount and push and hope that nobody sees me. **[Laughter]** We have also plotted another possible route to take commuters from the top of my Parish from the track that I have just described into St. Clement to Le Rocquier School, thus satisfying the Safe Routes to School initiative. It is proposed that the route could then follow into St. Helier via Samares. I have maps with me if Members are interested but I must stress that they are only draft proposals. I must also state at this point that no landowner is going to be forced to have a cycle track pass through their land if they do not want it. However, out of the landowners I have approached so far, all have been in favour of the project. My group who was invited to the last officers' meeting has the good fortune to have people with much local knowledge of the land, its uses and the landowners themselves which is hugely beneficial when making approaches to landowners and in trying to reach pragmatic agreements with them. I feel this has the advantage to a group of unknown civil servants trying to negotiate a way through and by that remark I mean no disrespect. We also have a lawyer on board who has been in contract with Sustrans, the organisation which runs a successful cycle network in the U.K. We have been able to learn the kind of working relationships that have been established between landowner and cycle route provider. There are draft agreements and documents available which can be worked on. These deal with such things as leases, insurance and maintenance. We have been unable and, frankly, unwilling to progress matters further or in more detail until we have some indication as to whether the project would become viable in the near future. It is not going to become viable until there is a financial commitment from the States to make it such. The £500,000 was the estimated amount supplied by the officers at T.T.S. to cover the initial stage from Gorey to Grouville School so more monies will be necessary as the project progresses and gains momentum which I am certain it will. There are of course other possible sources of monies and assistance. As part of the winter work programme, monies could be allocated from the Economic Stimulus Package for the building of some of the stages. This would help the building trade and I would like to think would include apprenticeship programmes. Other possible options exist. I had an offer from one of the T.A.'s (Territorial Army) visiting regiments who said they could timetable in the building of one or 2 stages into their summer work programme which they manage for community projects such as this. Planning and Environment are including the provision of an eastern cycle track as a planning gain for large developments being on or near the route. So there are alternative sources to help in its construction and funding. But we, the States, need to get it started so we can benefit from all these other sources of assistance. We also have to start putting our money where our mouth is. The Strategic Plan which we have approved only a few months' ago highlights among its aims and I quote: "Support for the Island community through the economic downturn, maintenance and development of the Island's infrastructure, enhanced and improved healthcare provision and the promotion of a healthy lifestyle." And of course further afield in 2006, Jersey requested the extension of the Kyoto Protocol to the Island which the developing energy policy includes commitments to reduce greenhouse gas emissions. All these aims could be achieved and go some way to being achieved by building the cycle track. So the political will is there in words anyway but we now need to secure the initiation of what would be a wonderful community facility with the allocation of funding so the eastern cycle route can finally become a reality. I make my proposition.

The Greffier of the States (in the Chair):

Is the amendment seconded? **[Seconded]**

Senator P.F.C. Ozouf:

Sir, can I declare an interest? Through my late father, I am one of the landowners that the Deputy of Grouville refers to. There is no financial pecuniary benefit. As she said, if anything happened the land would be given. But I, nevertheless, wish to make the declaration.

9.1.1 The Connétable of St. Brelade:

Members will excuse me for speaking to this in 2 halves, principally because, first, I wear a Car Park Trading Fund hat and, secondly, I like cycle tracks. I will address the first part of the Deputy's amendment first. This is not good financial management and I do not feel I can support this part of the amendment. The Car Park Trading Fund was set up to replace car parks. The creation of a sinking fund such as this is a prudent approach to budgeting where it is envisaged that capital assets will need replacing. It takes away the shocks when assets such as our car parks need replacing, which they do unfortunately. This means that the monies do not have to be taken away and other projects lost. It seems to me to be a crazy way to do business to fund a project in this way. I do not propose to talk on the principle of the cycle track at this stage but will say that if Members choose to adopt this funding route I shall of course support the second part of the amendment. I think it is important too that Members are aware of the effect on the trading fund, in that it may be the thin edge of the wedge for the fund because it is already proposed that car park charges be increased next year to be transferred to the general revenues and possibly again in 2012. This can be seen to be supporting the Sustainable Transport Policy. However, there is a dilemma here as the transport policy wants car usage to reduce but this will in turn lead to a fall in car park revenue. This could render the Car Park Trading Fund unviable in the future. So using car park receipts for non car park projects will only exacerbate the issue. The effect on the fund will in fact be to reduce the funds available for major construction or maintenance projects such as the North of Town Masterplan and introduction of new charging mechanisms. That is the point I would like to make Members aware of. I shall leave it at that before commenting on the track later.

9.1.2 The Connétable of Grouville:

We all love cycle tracks. There is no doubt about that. The health benefits are obvious. The social benefits are obvious. All except of course for those who live next to them. I must say that I am astonished and, quite frankly, very disappointed that this group have been meeting and agreeing these things and the Parish has not been approached. Most of this is going to happen in Grouville. The Roads Committee have not been approached. They were approached 5 or 6 years ago with a scheme which incorporated the old railway track into town. That was obviously a no-goer so they refused to have anything to do with it and asked for somebody to come back with a viable route, one that we could do without having to buy up 100 gardens. I really do not know how this will affect the Parish because I have not seen a map. We have not had the courtesy of a map. We have not had the courtesy of a diagram. We have had nothing. It has just gone ahead in the background. I did not know anything about it. I knew it was there. I knew it was in the background. I did not know how far it had got. My Roads Committee are completely unaware of it. It has never been brought up at our committee meetings. In fact I think the last time it was mentioned was in May when the *Tenants* approached us to find out if anything was going on. I think they had been approached at that stage. I cannot support this at the moment. I really cannot. I want to see a plan. I want to see an assessment. I want to see some engineering drawings of it. I really want to see what it is all about. How is it going to affect the Parish? I do not know. We have not been told. I must say that when I came in here this morning, I was aware of and supportive of the Minister for Treasury and Resources with the expenditure cuts. I found myself torn between voting for this proposition or Senator Shenton's carers' proposition. We cannot just go throwing £500,000 away here and £500,000 there. I fell on the side of Senator Shenton's proposition. I am sorry, I cannot support this at the moment. I would like somebody to come back to me and give me more information.

9.1.3 Deputy P.V.F. Le Claire:

I think there is something going wrong with the communication of the Deputy of Grouville and the Constable of Grouville. For some reason there does not seem to be a great stream of communication between them, particularly on this issue, which has been close to the heart of the Deputy of Grouville since before she was elected, I believe. There is probably more to this incommunicado than meets the eye. The Constable rose and said we all love bicycle tracks except those that live next to them. I do not know how we can all love something except for those of us that live next to it. It seems a bit contradictory. I have used bicycle paths. I find them very pleasant. We could go *ad infinitum* on this issue. But let me speak from experience. We set up a Scrutiny Panel system whereby a Scrutiny Panel would go away, look at the evidence, come back and bring suggestions. In tandem for design of homes, sustainable development and ... no, I did not mean ... **[Laughter]**. There we go. Now you have thrown me. Unfortunate, but I was not trying to do that. In parallel, thank you ... I am never going to finish. In parallel with the design of homes study and the sustainable transport study, Deputy Duhamel and myself and some other members of the Environment Scrutiny Panel attended the Malmö Sustainability Conference in Sweden. Apart from looking at this wonderful bridge that we have all been hearing about over the years, one of the things we did which was interesting, one of the scrutiny officers and I and another member of the panel went on their cycle track in Malmö. We were given these very interesting shiny, metal helmets and bits and pieces and went to the bike museums. We went along and investigated what does it mean when you take a city that has not had a bicycle path before and you introduce one that works? Some of the things they had along the way were inset in stone bike pumps people could use and also - I have gone along this route just to describe something - a monitor as to how often it was being used that day which was reset at 12 o'clock. When we went - it was about 3.30 p.m. when we reached this thing - something like 28,000 people had passed there on their bicycles in that period of less than 24 hours. So the city itself had really taken to the opportunity of using bicycles, not only for work but also for tourism and for safer routes to school. I came off my bike when I was a school child on the way to school. I am sure you all feel sorry for me. The day before, I had been caned 6 times for being 5 minutes late so I thought I had better not be late and started to ride my bike on the pavement and came off it and knocked out my 2 front teeth and ended up in hospital. The cost to society from a health perspective if there is an accident with a bicycle and the cost to the health community with obesity - and I know I am overweight - if we do not get more active in the long term is going to far outweigh £500,000 of money well invested today. The Minister for Transport and Technical Services does not believe this is a good use of funds but he would support the bicycle track. He has already said it is the thin edge of the wedge because future calls upon this money from the Council of Ministers are aimed, in particular, at this source of funding for sustainable transport purposes. As a member of the Council of Ministers maybe he has lost the argument but they have already had design... they have already placed clear design on these funds for sustainable transport policies and objectives in the near term. The case has been made already and the cat is out of the bag, that is where they are going for the money in the future. To say now that it is not appropriate because it is the thin end of the wedge and we cannot use it until it is the fat end of the wedge, I am sorry that is as ridiculous an argument as we all love bike paths except those of us who live near them. I think it is going to be a very, very good benefit to the Island. I think we need to increase bicycle riding as much as possible. The tourists that come over from France, they get off the boat on their little French bicycles and they head off into the heart of the Island. You want to hold up a sign saying do you know what you are doing? If you turn left you will find you can go all the way to Corbière, no problem. One of the best cycle routes I have seen. If you turn right, look out. What do they see? Where do they go? Gorey Castle - Mont Orgueil - let us go down there. Then the horror on their faces as they mothers and fathers are trying to protect the little ones in between them as they arrive at St. Martin. The Deputy of St. Martin will no doubt stand up and support this and I hope every other Member will too. Time to curb my speech. I have already spoken too much today and Members are sick of me speaking. Thank you from the Constable of Grouville who agrees. But some of us are also sick and tired of hearing the same old nonsensical arguments based upon prejudices that have nothing to do with the

reality of what is needed in this Island which is a progressive environmental stance that needs to push aside the old dogma of that is not done in our day, tut, tut, tut. Let us be progressive. I will shut up and the Constable and I can disagree on this one and move on.

The Connétable of Grouville:

Sir, if I may interject. I really do ask the Deputy to withdraw. He is putting me in a box with - what was it - regressive and dogma-ridden people. Not the case at all. If he lived in Grouville he would know that.

Deputy P.F.C. Le Claire:

In the interest of not upsetting the Constable of Grouville, I withdraw any offending remarks and just leave it at that.

9.1.4 Deputy T.M. Pitman:

I can assure the Constable I would definitely not want to put him in a box or even nail the lid down. I have to say I think it is really an excellent initiative. I think Deputy Le Claire made some really valid points about the funding. Having the North of Town Masterplan thrown in I think is really a bit of a red herring because, frankly, it will be for the House to decide but I think there is very little chance of that going through indeed. I think this is well worth support from all Members, regardless of which area within the Island they happen to be based. Indeed the Deputy of Grouville is quite correct. The proposal fits in with so much supported by the Council of Ministers unless that stated commitment to such an objective is nothing more than lip service which I am sure it is not. The Island's long term health as we have heard, fighting obesity, an ever-growing problem, the apparent goal of keeping Jersey special heralded so much by our former Chief Minister Walker spring to mind immediately. It is that bigger environmental picture, as someone has commented, and of course the impact on tourism. As I say, obviously I am not a representative for the Parish of Grouville but, nonetheless, I think as I have indicated, every one of us should be committed to supporting projects to the benefit of Jersey people as a whole, wherever they live. I hope I am not tempting fate here because he is not in the Chamber at present but I am absolutely convinced if this were in St. Helier, it is a project that our Constable would support absolutely to the hilt because he is always, always on the lookout for projects that will benefit the community. There are examples of that all over the place. The Constable of St. Helier is not perfect, as are none of us, but he really cannot be criticised in the work and the passion and direction he shows the community. So I would really hope that his fellow Constable can consider this again, maybe if he has got a bit more information. I have to say I think the financing of the project as outlined by the Deputy of Grouville is very workable. If it really is not then I would like to hear more from the Minister. I know he has already spoken. I just congratulate the Deputy of Grouville because I think she has shown a real example of a Deputy really coming up with something to the benefit of her constituents. I can see why she gets elected because this is the sort of thing that Deputies should really be fighting for, so well done.

9.1.5 Senator T.J. Le Main:

The initiative is a wonderful initiative; something I have supported for years. I have tried on 2 occasions certainly some years ago having an extension to the sea wall from Havre des Pas through to Green Island of a rider cycle track and a promenade. Something that would be wonderful. We are looking at ways to get rid of our rubble sometimes. You could extend your sea wall by 20 or 30 feet along La Greve d'Azette right through to Green Island. You could have a wonderful place for people to walk, to cycle to St. Helier and to improve the road safety. I have tried that on several occasions. I gave the plans only last year to the previous Minister for T.T.S. He was enamoured with them but of course they are still sitting at T.T.S. at the moment. Perhaps one of these days over a period of years with an environmental tax, one could perhaps regenerate that. I am very, very supportive of this initiative. I think this is a great initiative. There is only one worry I have

with it, which is that in this time when we are looking for this kind of money, it would have been safer to work from St. Helier eastwards so that the issue was that wherever you ended up, people could then start commencing using their bikes and walking from that point to St. Helier. This way you are putting the money into Gorey for somebody to use a bike to where it ends and then they have to use the roads again. My view is that I think at this time I would give this initiative my full support if the money was now going to be spent on working from the St. Helier side eastwards instead of the other way.

The Deputy of St. Mary:

Can I ask for a point of clarification, please, Sir? Would you give us some clarification on that, Senator? It is just that are you saying that you support this route if it goes in one direction but you do not support it if it goes in the other direction?

Senator T.J. Le Main:

I am saying that if you are going to be spending money now, it would make more sense to start from St. Helier working eastwards then having a part of it done in the far east of the Island because let us say you started from St. Helier and end up at FB Fields, for instance, as a first phase then people in all that area could use that to go into St. Helier backwards and forwards. By having it just in Gorey, as part of it, it stops there. It just does not take you into St. Helier.

9.1.6 The Connétable of St. Saviour:

I have to say right at the beginning that the Deputy of Grouville has been to us with all the plans and the details and has been very keen in supporting this. I do not blame her. She has done a lot of work. I think everyone here would support the idea of a cycle track. I do not have a problem voting for this because it is financially neutral I believe and, therefore, it is not costing more for the Island. What I do have a problem with, and so do all my Roads Committee, is the safety aspect of it. I do not believe the details are sufficiently sought out for us to be able to put this into operation yet. We have issues with where it goes. Certainly in St. Saviour, quite apart from the problem of it coming over a hill - that is up to people to negotiate and they will get fitter as time goes on - the routes unfortunately take people right across roads that are incredibly busy at peak times. We have nearly all the schools in the Island and nearly all the traffic for those schools come into St. Saviour. The roads are clogged up. While this will get some traffic off the road and help, these cyclists crossing these busy roads at peak time, it terrifies me. I am really afraid of the safety aspect. One of the problems is that we all know how well cyclists obey the rules of the road. I think there has to be a mindset that if they are going to use these cycle routes, they will have to be policed because I do not believe that these cyclists will cross the roads safely. I am worried about it. The principle if we can get it working on some routes is wonderful. Bringing them in through Longueville is I think a no-no. Bringing them over the hills I think is a non-starter. If we can do part of what Senator Le Main is saying and take them around the coast where it is flat, that I think is absolutely brilliant because we have seen figures from the Deputy of St. Mary. There is a perfect cycle route in from the west that does not cross the roads, apart from a couple of crossings. Most of the time it is off the road and it is flat and people are using it. It shows that they will use these routes. If we can do something similar in the east, I think it would be tremendous. The problem of bringing them in and bringing them across school traffic worries me and I think the safety aspect has not been properly addressed.

9.1.7 Deputy D.J. De Sousa:

I was going to save it for the main speech on the cycle track but most people seem to be speaking now so I will and then maybe with the cycle track we can just go on and vote for it or against it. We already have a really good western cycle route that is very successful and being used by many Islanders, not just from the west. Holiday makers as well. We have been told about *New Directions* and eventually that will be coming forward to the States to be implemented. In the U.K.

as long ago as the late 1970s/early 1980s - and we are now in the year 2009 - they started putting in cycle routes in most towns and cities. They are very much used and they make it a very safe way for cyclists to get about. We need to encourage people to get fit and live longer, get some of the cars off the road which can only help the environment. Holland is a perfect example of how cycling can work. Yes, fine. But not everybody rides on flat roads. At the moment where we have not got cycle routes, I always see people riding on roads, up and down hills so it makes no difference. I am sure the Deputy will address the questions on road safety when she comes to it. I commend her for her many years of hard work on this. I hope eventually we get it. I would like to see cycle routes all round the Island.

9.1.8 Senator P.F.C. Ozouf:

Before I put my financial conscience hat on, I will say that I do support cycle tracks. I spent some of my summer European holidays in places like Exon Provence and in Spain. I enjoyed not only the cycle tracks but also the modern facilities of having these smart cards where you borrow bikes by having a smart card, paying a deposit and using them. They are incredibly successful. Technology has moved on. I am going to be enjoying the western cycle track but on my 2 legs in the marathon when I do the final leg on Sunday. I hope Members are going to support the 2-legged variety of a cycle route. But the financial conscience. I should first of all say to the Deputy of Grouville that she is to be congratulated because she has brought forward a proposition that does what the Council of Ministers asks and what the States Strategic Plan says which is matching an expenditure with an income line. If I may say it does not of course come entirely free because if this were to be approved T.T.S. have indicated that they would have a structural issue going forward with the Car Park Trading Account with some of their other issues that they need to do. There is an inevitable consequence of that. From what I can see there is already going to be a 10 per cent increase in car parking charges as a result of the Business Plan proposals. If this is put forward there will be a commensurate increase which T.T.S. are going to have to consider. From what I can see that is about 4 pence on a scratch card. Again we need to be completely honest with people about exactly what the consequences are. I should also say that £500,000 is not going to deliver the cycle path. She is absolutely right in trying to harness the visiting military services, *et cetera*, to do that. There is going to be hopefully some supportive landowners, as we have said. But there is going to be a cost which is going to have to be made. We need to be realistic about that. It is neutral from the Consolidated Fund's point of view. We have to be absolutely clear about that. But there will be a consequence for car parking charges of about 4 pence which the Minister for T.T.S. is going to have to consider.

Deputy S. Pitman:

My points have already been made.

9.1.9 Deputy T.A. Vallois of St. Saviour:

I am fully supportive of this amendment coming forward. I would just like to pick up on some points, first of all that Senator Le Main made with regards to the St. Helier route to the east of the Island. Can I just make a point about the Safer Schools initiative and the fact that most of the schools are based in St. Saviour as well. Whether you look at it from the eastern point or the St. Helier point, if we are looking at the Safer Schools initiative then you need to accumulate that either way you look at it. Also with regards to the Constable of Grouville, when we have a problem with things in our backyard or near to us. Unfortunately we live in an Island and that happens with anything, whether it is a car park near us, whether it is a road near us. We are an Island and we have to try and work together to deal with that. That is the way we drive forward. We work as a community and that is the way it should be. Unfortunately with everything that is done in life, there is always a minority that may cause a problem. It might be the case with a cycle track with people dismounting or not dismounting or minor trouble in areas. But it happens with everything unfortunately and it is how we deal with it as a community that shows us how we can move

forward. St. Saviour has tremendous traffic volumes 38 weeks of the year. I believe by approving the funds now we can look at a way forward and look in more detail with regards to the safety if this is approved.

9.1.10 Deputy A.T. Dupre:

If the car park charges do go up, we probably will need a cycle track because more people would use bicycles. Also if it helps keep the cyclists off the pavements, I really am all for it.

9.1.11 Deputy J.B. Fox:

From the time when I was on the Planning and Environment Committee from 1999 we have been looking at the problem of trying to find an eastern route. I gather one of the problems is through St. Clement. I will just say with my previous job of designing against crime is that there is a lot of work being done about it in the U.K. If you speak to Bruce Liron on 612345, you will find that he will be able to give you up-to-date material on the safest way of producing these routes for the protection of people and especially young people and indeed covering road safety and things like this. Bearing in mind that living in St. Helier, we are quite used to cycles crossing our paths at about one foot intervals and dodging them. This will inevitably happen on cycle routes and it needs to be brought in. It is a question of discipline and that comes down to society. Society goes through peaks and troughs with its discipline in life. I am hoping that by the time a cycle track has found its way through from Gorey to St. Helier that discipline will be part of the mode again and we might have less accidents. But what we have got to do of course is to make sure that we have done everything possible to ensure that someone does not get killed because as soon as you lose one child, almighty hell is going to break loose. It has got to be done properly. It has got to be done professionally. If there is any doubt, you hold back until you find the solution. You might not be able to achieve the whole thing all at once but I compliment the Deputy of Grouville in at least trying to bring this forward. Clearly we have got some communication weaknesses that have been identified this afternoon. They will be overcome and hopefully this will go through. I appreciate this is difficult times with financing but it is within all our strategic policies. We have been looking at it a long time and we have to start somewhere otherwise it will just get put back and put back and I shall be buried before I shall be able to see it happen.

9.1.12 Senator J.L. Perchard:

Just briefly. I too would add my congratulations to the Deputy of Grouville. I am a keen supporter of any initiative that allows people to travel safely on bicycles. The east to town is a well-used route. I am also a keen supporter of safe routes to school and work from the centre of the Island. There is no doubt that T.T.S. are going to have to focus on delivering these safe routes. There is a demand. Just a question for the Deputy when she sums up. Her report is silent on what we are getting for £500,000. While I think the idea is to have a sum of money to kick start the proposal, we need a little bit more detail. As I say, I really want to support and I hope she can persuade me that the £500,000 will be wisely used and will deliver something positive. With that I look forward to her response.

9.1.13 The Deputy of St. Martin:

I was wondering whether we are going to hear anything from the Minister for Economic Development. Unfortunately he was not there last week but last week I was part of a delegation that went to Brittany along with people like the Chief Minister, the Deputy of St. Ouen and indeed the Connétable of St. Brelade with his T.T.S. hat on and Deputy Duhamel, very much the environmentalist. We were all split-up in different groups. The group I was with was discussing, among other things, cycle routes. The Bretons are very keen on it. I was the only States Member in my particular group but they were asking what we were doing about it. We said we have these blue cycle routes and we were aware that we may well be having an issue coming forward from this debate. They were very enthused by it and it is something no doubt will have a Bureau de Jersey

meeting next week. That is if we are not still here. But no doubt we will be able to give the feedback to the Minister who unfortunately was not there. But I think this is an initiative which will have far reaching effect, not just for people in Jersey. It is quite common now to see the boat... indeed when we were on a boat the other day the people who bring their cycles over from Brittany on the boat... They are here and they are looking for cycle routes. What we are doing here really is starting off something, that not just will benefit us local people but also our friends across the way. I hope we will give this support and indeed find the money. In fact maybe I could throw out a little hint to the Minister for Economic Development; maybe some money from the Tourism Investment Fund. Who knows? But it is an initiative that we should be looking forward to. I hope we may get something from the Minister.

9.1.14 The Deputy of St. Mary:

I might be expected to have a few words to say on a matter so dear to my heart. First of all I must join with everyone else in commending the proposer. This is such a good proposition. I am slightly concerned that some Members who seem to be saying that they support it but, if, whether... and then shilly-shally and sorry, this is not really the time for that. She makes the case so well; strategic document after strategic document, 5 Ministries want this route. They want this route because of the benefits that cycling brings. I think it is worth simply, bullet-point, putting them on the record: cleaner air, a more peaceful stress-free town, reduced noise pollution, the town would look better with less visual intrusion by the motor vehicle. Those are the economic benefits. Now here are the education benefits. More children riding to school should be an important goal of policy. A cycling group wrote this in 1997: "Promote health and fitness." What is that if that is not a goal of all of us? "Promote independence." Not often mentioned but promoting independence is very important for our young people. "Reduce the need of a large number of parents to be taxi and create a likelihood of continued active lifestyle in later life." For goodness sake, that is going to be one of the centres of *New Directions* and here we are putting in place or beginning the process of putting in place something that will deliver what we are trying to do. As the Deputy has said in her document, she lists the Strategic Plan objectives which this proposal fits in with. So just a couple of comments on the money because of course that is what this debate is about. There are 2 aspects to this. People have said exactly where is the money going? Why are you getting the money now? There is a whiff of saying maybe it should be part of the Sustainable Transport Policy. I think that is in the comments from the Council of Ministers. No, I am sorry, we need this money as the Senator said to kick-start this project. There may be other funding streams later on. But one of the things that the money will be needed for is plans. The Constable of St. Saviour pointed out that if this route crosses big busy roads which it will do, there has to be appropriate treatment. That can only be provided by experts. Of course Sustrans do these routes all over the country all the time. They know how to do it. But that does have to be done and there is an upfront cost there. That is why the money is needed to get this thing going. I would just add for Members' consideration the fact that we are going to spend £4.775 million from the fiscal stimulus to resurface Victoria Avenue. I am sorry, the good Deputy is asking for £500,000 for the health of our children and for the betterment of St. Helier which brings me nicely to my second point about finance, which is the move by the Deputy to take the money effectively from the Car Park Trading Fund or to use that as a source. The Minister has cast a bit of doubt about that. That is why I circulated to Members this little document about the invisible car park. If Members would like to look at that, please. The first point is to look at the back where we have the chart of cyclists going in and out along the Esplanade in August 1996. If you compare the 2 charts on the back, the hour-by-hour charts, at the weekend between 7.00 a.m. and 9.00 a.m. not much happens on the Esplanade cycle track because it is the weekend. Then if you look at the week day figures into town there are 2 vast spikes: 7.00 a.m. to 8.00 a.m. and 8.00 a.m. to 9.00 a.m. Those are commuters and I do not think anyone can argue otherwise. The commuters total 281 in 1996. That figure went up 4 times between 1992 and 1996. If Members go back a page they can see the chart where that is portrayed, the difference between May 1992 and August 1996. There it is, the light grey is the commuter traffic. It is

between 7.00 a.m. and 9.00 a.m. on a week day. You can see the jump from May 1992 which was when T.T.S. did a survey and August 1996 when the cycling group did a hand count standing there with clipboards and not missing anyone. It takes a lot of effort I can tell you. There we are. A fourfold increase in 4 years. Back in 1992 when the cycling into town I believe was 2 per cent of people going to work cycled to work back in them there days. We are now told by J.A.S.S. (Jersey Annual Social Survey) - a social survey - that 8 per cent of people in Jersey now cycle to work. Those figures are vastly more. What I am pointing out is that cyclists save the Island car parking space; lots of it. I have looked at the Hopkins document, as no doubt many people have done, and we will be looking at that when we talk about the town park. There are pages and pages in that document about car parking. There is a map in that document with all the little bits of surface car parking dotted around our town, tarmac for cars which could be used more productively, more creatively. It could even be green, dare I say it. It could be improving the quality of life in town. There is also a list of the car parking spaces in town. Square metre after square metre which will be saved by this measure. I do beg Members to support it. There will be more people cycling if we provide this route. It is a racing certainty. Back in 1997, the figures for cycling to work in York, 20 per cent. This is back in 1997. Oxford, 20 per cent; Peterborough, 13 per cent; and Hull, 14 per cent. At that time Jersey was at 2 per cent. Now we are at 8 per cent. We can do better. We will certainly encourage people to cycle into town if we provide this route because otherwise from the east is very difficult. In fact if we do not do this we are disadvantaging the whole of that side of the Island because I can tell you where the tourists go when they come off the boat and hire a bicycle, either from Zebra or from my successor company. They go west. If Members from the east will consider the impact this might have also on the economy of the east, if one might put it like that. There is an impact there. The cyclists are going west because the provision is there. I do beg Members to consider that as well. I thank the Deputy for bringing this life bringing amendment. It is fantastic and let us vote for it.

9.1.15 Senator T.A. Le Sueur:

I said at the start of the debate that I thought rather than just simply accept the amendment, we should give Members a chance to understand the clearer picture. But as the Deputy of Grouville quite rightly says, the Council of Ministers do acknowledge that this proposition meets a number of the aims of the Strategic Plan. It has all the right facets. The eastern cycle track as a whole is a welcome and necessary project. The reason that I thought it needed to be discussed was that Members were in no doubt about what it was they were voting for and the implications of voting for what is effectively delivering part of the eastern cycle track. It makes a good start in a very necessary area but quite clearly there is more to come. I think, Sir, we have probably debated this for long enough now. I would say I would accept the amendment on behalf of the Council of Ministers. If other speakers would like to keep their speeches [**Approbation**] either brief or non-existent it would probably speed things up.

The Greffier of the States (in the Chair):

Thank you, Chief Minister. We do have quite a large number of Members who have indicated they wish to speak but obviously they will take account of the Chief Minister's words no doubt. The Deputy of St. Ouen, do you still wish to address the Assembly.

Deputy J.G. Reed of St. Ouen:

I will give way, Sir.

9.1.16 Deputy K.C. Lewis of St. Saviour:

Just very, very briefly. The Minister for Treasury and Resources did mention he is going in the marathon shortly. I am not fit enough to go on a marathon but I thought foolishly that gravity would be on my side. May I, through the Chair, thank all States Members including your department and the Attorney General for sponsoring me to the tune of £270 for jumping off Cyril

Le Marquand House last Sunday. I did cheat and use a rope **[Laughter]** but maybe that is the only way I am going to get to the 9th floor. I fully support an eastern cycle route. I think the western cycle route is a great facility. However, I still have trouble obviously with the funding. Being the Assistant Minister at T.T.S., I cannot really support taking £500,000 out of the Car Park Trading Fund.

9.1.17 Deputy M. Tadier:

I acknowledge the fact that this has been accepted so I am going to cut this right back and just limit it to 2 or 3 points. There was one point made from a certain Constable - I will not name him - who said that because there was so much congestion in St. Saviour that that was a reason not to have a cycle path. But I see it and I am sure other speakers would say that that is the ... **[Interruption]**. Okay, maybe I am misquoting him then if that is the case. But I would say that there is an absolute reason to have it going through St. Saviour and St. Helier because it will encourage people out of their cars. Europeans love this. It is not just for locals. I know having worked in a bike company - not the same one as the Deputy of St. Mary - that there were some diehard cyclists out there. It would certainly be a great benefit to Economic Development and to Islanders to have this asset. I just wanted to make the final point that I think that bikes have been here a long time before cars and I think they will be here a long time after cars. I just would commend the Deputy of Grouville for this. I think it is one of those amendments we can all get behind. It is a quick win. It is a feel good proposition and for the right reasons because it is what we should be doing. We are not throwing away money. This is money well spent. I hope that we can all back it.

9.1.18 Connétable A.S. Crowcroft of St. Helier:

I just want to urge the Constables that if ever there was a case of voting *en bloc* this is probably it **[Laughter]** and in particular for the Constables of the Parishes through which this route is going to go. I was disappointed to hear a certain amount of argument about which end it would start in. Surely we start at both ends and then the Constables - whoever they are of the day because it may take some time - of St. Helier and Grouville will be shaking hands, a bit like they did in the Channel Tunnel, somewhere in St. Clement. I am also disappointed to hear a Deputy of St. Saviour saying that he cannot support this because he is Assistant Minister of T.T.S. **[Approbation]**

Deputy K.C. Lewis:

It was the funding not the principle.

The Connétable of St. Helier:

I think Deputy Lewis needs to remember who elected him to his position. He needs to remember that those adults and those children are all keen cyclists. He needs to have listened perhaps more closely to the expert words of the Deputy of St. Mary who made the very clear link between parking charges and paying for transport such as this. For every person who cycles to work, there will be an extra space or more in a public car park. There will be a vehicle less on the roads. People who use the car parks will directly benefit if this cycle route goes ahead. I do hope that the Minister and the Assistant Minister will lay aside their Executive hats and remember that they are elected by people, a surprising number of whom are ardent believers in cycling and would have their children... and indeed would cycle themselves much more if they felt that it was safe to do so. I do hope that we will get a very strong amount of support for this. It clearly meets all of our objectives. It is long overdue. I think it is entirely appropriate that the money comes from the trading fund. It is not our money in the Car Park Trading Fund. It is the money put there by people, members of the public, who have chosen to park there. I believe that the vast majority of them would like to see this money used in this way.

9.1.19 Senator A.J.H. Maclean:

Just very briefly. The Deputy of Grouville will be aware that Economic Development are supportive and have been supportive in the past of cycle routes. I had the pleasure of opening the

western cycle route last year. I am delighted she has brought this forward and appears to be getting the support for funding. I have just one cautionary note from a perspective of tourism. Clearly walking and cycling is an important part of the tourism offering. There is no doubt of that. However, I think the view has always been that there should be a staged approach which clearly this level of funding is going to be. I think the Deputy when she sums up perhaps will confirm that the total funding estimates for a cycle route from Grouville to St. Helier is about £1 million or £2 million now, is it? Right, okay. It is rapidly increasing. But, nevertheless, the particular advantage to tourism would be if the link were to start at St. Helier. I think the Deputy of St. Mary made the point that the western cycle route is successful because tourists come into St. Helier use the western side. I personally would have liked to have seen it starting in St. Helier. I think the other part that is of particular relevance is the Gorey to the local primary school. Those are the 2 areas I would have liked to have seen; starting from St. Helier and then linking up Gorey to the primary school. But that said, we are supportive. I think it is a good initiative and let us get on with it.

9.1.20 Deputy A.E. Jeune:

Very similarly. An eastern cycle track is an excellent concept and I too welcome the Deputy's proposition. But I expected that it was going to be a continuation of the western cycle track, very much as identified by Senator Le Main. A joined-up track which ultimately could go round the Island. As Senator Perchard said, we do not know what we are getting for this £500,000. I appreciate the paragraphs of the visiting regiments and the possibility of a work programme but would ask the Deputy if she could identify how much of the track can be done for the £500,000 and the zone of that track.

9.1.21 Deputy S. Power of St. Brelade:

I will be very brief because a lot of what has been said I do not want to repeat. Benefiting from a Parish that has the railway walk and part of the western cycle track, I think the Deputy of St. Mary may be surprised at the number of bicycles that commute-in in the morning from the west. I would suspect there are probably well over 5,000 in the morning that come in on the west. It is not between 7.00 a.m. and 9.00 a.m. It is between 5.30 a.m. and about 10.00 a.m. It is a much wider spread now. I would ask perhaps T.T.S. have better figures but it is a huge amount of bicycles come into town from the west. That is the first thing I would like to say. Some comments were made about the dangers of the bicycles meeting a main road or words to that effect. In St. Brelade we have 2 or 3 major intersections. One is on Rue du Pont Marquet. I think those that drive through the 20 mile an hour there are aware that bicycles are also traffic. There is a concession that they do take care, they do watch out and bicycles go through there in their hundreds every hour at major commute times. I think drivers do, by and large, recognise the fact that bicycles are traffic. They are part of the traffic network. It is important to recognise that it is a commuter traffic tool. The other pinch-point is on Rue de la Pulente which is as you go down the La Pulente tail where the railway walk is intersected again. That is particularly busy at weekends. That is a point where drivers do take cognisance of the fact that you have got lots of walkers, lots of cyclists and the 2 recognise each other. I think to those who have concerns in St. Saviour about a possible future route intersecting major routes, I think it can be done because we have seen in St. Brelade that it can be done. I was going to speak about Sustrans and a number of other things but I am not going to because I am sure the Deputy will round up on that. But I would appreciate it if the Deputy of Grouville had put a map in her amendment just to give us an indication as to the likely route and to describe the section of the route she is referring to at the moment so that we would have had a clearer picture.

9.1.22 The Connétable of St. Mary:

Very briefly. The Deputy of St. Mary gave us information about the congestion and the pollution costs that cycles save. As somebody who comes down St. Peter's Valley very often in a queue of

cars behind a bicycle, I can only say that I think bikes on the road probably do not do much to help pollution. I wholeheartedly applaud anything that gives the bikes their own dedicated area - their own dedicated track - for their wellbeing, for a decrease in pollution and for safety. The only other point I would like to say is perhaps it is time we really did look at reintroducing a bike registration/tax scheme at a low cost per annum for the all people who are concerned about that minority who are not good riders, who are not responsible and also to supplement the extra revenue to go to further this scheme. I think it really is time we considered that. Perhaps that is something for the committee to take on board.

9.1.23 Deputy I.J. Gorst:

I do support the Deputy of Grouville and I support this proposal even though, as some Members have said, I personally might have preferred it to start from town to the east. This proposal does not stop a track starting from town to the east while this proposal can start from the east coming into town. Perhaps it is those Members of us that wish to have started in the town, we are the ones who are remiss and we should have added an amendment to this Business Plan to do just that. Notwithstanding that, those who know me might find it somewhat hypocritical that I will be supporting a bicycle track because if ever I feel like being healthy and getting out of engined transport, I prefer to walk than go on a cycle. But I do think that this can only be a positive thing. It will help to start to deal with congestion. Yes, there are issues coming through town and through St. Clement and meeting up with St. Saviour and safe routes to town. We should deal with those and not put it off because they are difficulties which need to be addressed. I believe that the Assembly will support this and, therefore, I will end there.

9.1.24 Connétable D.W. Mezbourian of St. Lawrence:

Very briefly. Obviously most Members have spoken in support. I too rise to support the amendment. However, a word of caution, and I direct this at the Deputy who will I am sure be overseeing the development of the cycle track very closely. It is difficult to police the speed of cycles on the cycle track. Mention has been made of course that they are vehicles in themselves. I do get a number of complaints about speeding cyclists on the cycle track through St. Lawrence and the danger that they do pose to pedestrians who inadvertently cross on to the cycle track itself. It is something which I am trying to address at this moment with T.T.S. with regard to the western cycle track. Just something to bear in mind.

9.1.25 The Very Reverend R.F. Key, B.A., The Dean of Jersey:

Two words: consciousness and responsibility. I spent most of my working life in the city of Oxford where the Deputy of St. Mary reminded us 20 per cent of commuter journeys are carried out on bicycle. There is not a motorist or a pedestrian in that city who is not aware of the bike. Whether they swear by them or swear at them, they are conscious of the fact that cycling is an important part of the local economy. Therefore, anything we do to increase the volume of cycles will increase the consciousness of the bike and, therefore, the safety. The second thing, responsibility. If we are going to put that many cyclists on then one thing they should not learn from Oxford is that the way you cycle is wearing black after dark without lights the wrong way down a one-way street. Therefore, whether that is education in the home or in the schools or in the youth clubs or other organisations, we have to encourage both responsible cycling and driving to go with this wonderful new cycle track.

The Greffier of the States (in the Chair):

I call on the Deputy of Grouville to reply.

9.1.26 The Deputy of Grouville:

I would like to thank everybody who has spoken, especially those who spoke in favour of the proposition. **[Laughter]** There are a few issues that people have asked me to address. I think I will start with the last first, the safety element which the Constable of St. Saviour, St. Lawrence and

the Dean spoke about. I think, yes, we do need to educate people. We have a road safety officer on the group of 12 officers so I am sure as he goes into schools and takes children with cycling proficiency tests and the like, he could teach them about dismounting when they get to roads and what have you and wearing appropriate clothing. The speeding on cycle tracks, obviously I have not come across this issue because we do not have one in our Parish. **[Laughter]** Yes, yet. But I would think, what is wrong with looking at the old cycle registrations? I think that might be a way forward for that. I remember going up to the Parish Hall, getting my bike registered on 1st January. It might be a bit of an income as well for Parishes. The Constable of Grouville: very, very disappointing that he is not going to support this but it is not really very surprising. He says that he was not approached. It is a 2-way street. It was my amendment down here and if he needed to see plans, to see the research I have done then I have an open door policy too. He wanted to see engineering plans. Who exactly is going to pay for those? I will just say this, because Deputy Power mentioned it as well about seeing the plans, getting the plans published. It is chicken and the egg, is it not? We have mapped out a route, as Senator Ozouf alluded to. I have approached him as a landowner on route. I have approached the *Chef Tenants de la Reine*, and a couple of other large landowners, all of which have been fully supportive. But I am not going to publish plans until it is viable. If it is not going to happen for 5 or 10 years because the States have not identified any money, then the land could have changed hands quite a few times. Until I know it is going to be a viable project then there is very little point in publishing plans to possibly upset landowners. But if anybody wants to see what we have mapped out so far, I am more than welcome to share them with you. Senator Le Main spoke about the rubble. Yes, I agree. I have already spoken to building firms. They thought this would be a very good idea for their rubble and they would be willing to help along the way, as and when they want to dump rubble. Yes, that would be useful to them too. St. Helier to FB Fields, a few people mentioned this. Senator Maclean: St. Helier out to east. Please bring the plans forward. If that is where you want the route to go, identify the cash. What I am trying to do, I have mapped out some plans and the funding which quite a few people spoke of. Senator Ozouf with his financial conscience; Deputy Jeune, Senator Le Sueur and Senator Perchard wanted the funding clarified. I got the estimate from Transport and Technical Services for a cycle route from Gorey to Grouville School. They estimated this would cost £500,000 for that chunk. However, as I said in my opening speech, there are winter work programmes. If a building firm had some spare time and wanted to apply for some of the economic stimulus monies for the winter work programme as part of an apprenticeship programme, they can put people to work on it. There is also the visiting regiment in summertime who I spoke to. They said that they would be more than happy to build a couple of the stages so obviously that would not cost. Again the planning gain. There is a huge planning application in at the moment on the route, Gorey to Grouville School. If a planning gain is identified then that £500,000 could go beyond Grouville School. It could go towards the next stage. But we are not going to benefit from any of these initiatives until we start the route. Again with the safety issue. Sustrans, who are this organisation who deal with this sort of thing all the time, and the T.A. have been explained - I think I was with the Constable of St. Saviour - they build little fences to make the cyclist dismount so you have to walk round the outside, cross the road and then mount the other side. It is really up to people to identify - like the Roads Committees - the safest part of the road to cross at any one time. I think I will leave it there, Sir, and I would like to ask for the appel.

The Greffier of the States (in the Chair):

Very well, the appel is called for on what is effectively at this stage voting on the first of the amendments of the Deputy of Grouville relating to the Car Park Trading Fund and the £500,000 for the cycle track. If Members are in their designated seats, the Greffier will open the voting.

POUR: 41		CONTRE: 2		ABSTAIN: 2
Senator S. Syvret		Senator B.I. Le Marquand		Connétable of Grouville
Senator T.A. Le Sueur		Deputy K.C. Lewis (S)		Connétable of St. Brelade

Senator P.F. Routier				
Senator P.F.C. Ozouf				
Senator T.J. Le Main				
Senator J.L. Perchard				
Senator A. Breckon				
Senator S.C. Ferguson				
Senator A.J.D. Maclean				
Connétable of St. Helier				
Connétable of Trinity				
Connétable of St. John				
Connétable of St. Saviour				
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Mary				
Deputy R.C. Duhamel (S)				
Deputy of St. Martin				
Deputy R.G. Le Hérisier (S)				
Deputy J.B. Fox (H)				
Deputy G.P. Southern (H)				
Deputy of St. Ouen				
Deputy of Grouville				
Deputy P.V.F. Le Claire (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy S.S.P.A. Power (B)				
Deputy S. Pitman (H)				
Deputy I.J. Gorst (C)				
Deputy of St. John				
Deputy M. Tadier (B)				
Deputy A.E. Jeune (B)				
Deputy of St. Mary				
Deputy T.M. Pitman (H)				
Deputy A.T. Dupré (C)				
Deputy E.J. Noel (L)				
Deputy T.A. Vallois (S)				
Deputy M.R. Higgins (H)				
Deputy A.K.F. Green (H)				
Deputy D. De Sousa (H)				
Deputy J.M. Maçon (S)				

**10. Draft Annual Business Plan 2010 (P.117/2009) - paragraph (c) as amended
The Greffier of the States (in the Chair):**

Very well. Does any Member wish to speak on paragraph (c) as amended before we move to paragraph (d)? No? Very well. We will move to paragraph (d) in relation to capital projects. I ask the Greffier to read the paragraph. Excuse me, we do. Very well, I need to put to the Assembly paragraph (c) as amended. Those Members in favour of adopting it, kindly show. The appel is called for. Very well. If Members are in their designated seats, the Greffier will open the voting. Trading funds.

POUR: 44		CONTRE: 0		ABSTAIN: 0
Senator S. Syvret				
Senator T.A. Le Sueur				
Senator P.F. Routier				

Senator P.F.C. Ozouf				
Senator T.J. Le Main				
Senator J.L. Perchard				
Senator A. Breckon				
Senator S.C. Ferguson				
Senator A.J.D. Maclean				
Senator B.I. Le Marquand				
Connétable of St. Helier				
Connétable of Trinity				
Connétable of Grouville				
Connétable of St. Brelade				
Connétable of St. John				
Connétable of St. Saviour				
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Mary				
Deputy R.C. Duhamel (S)				
Deputy of St. Martin				
Deputy R.G. Le Hérisier (S)				
Deputy J.B. Fox (H)				
Deputy G.P. Southern (H)				
Deputy of St. Ouen				
Deputy of Grouville				
Deputy P.V.F. Le Claire (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy of Trinity				
Deputy S.S.P.A. Power (B)				
Deputy S. Pitman (H)				
Deputy K.C. Lewis (S)				
Deputy I.J. Gorst (C)				
Deputy of St. John				
Deputy M. Tadier (B)				
Deputy A.E. Jeune (B)				
Deputy of St. Mary				
Deputy T.M. Pitman (H)				
Deputy A.T. Dupré (C)				
Deputy E.J. Noel (L)				
Deputy T.A. Vallois (S)				
Deputy A.K.F. Green (H)				
Deputy D. De Sousa (H)				
Deputy J.M. Maçon (S)				

11. Draft Annual Business Plan 2010 (P.117/2009) - paragraph (d)

The Greffier of the States (in the Chair):

Now I will ask the Greffier to read paragraph (d).

The Deputy Greffier of the States:

(d) to approve each of the capital projects in the recommended programme of capital projects for each States funded body for 2010, as set out in Part Three of the report Summary Table D, page 97, that requires £34,587,000 to be withdrawn from the consolidated fund.

11.1 Senator P.F.C. Ozouf (The Minister for Treasury and Resources):

Last year the Assembly approved a costed capital programme for 2009 and an in principle programme for 2010 to 2013. This programme has been reviewed in the light of other priorities, mainly the significant backlog in States property maintenance, essential maintenance of Gorey Pier, a master-planning exercise for prison improvements, a more cost effective solution for St. Martin School and a project to resurface the artificial sports pitch at Les Quennevais. This has required some reprioritisation and reprofiling and, in some cases, reduction of some of the schemes. The Council of Ministers has managed to reconcile the proposed allocations within the agreed spending limits from 2009. I should say that the capital allocations may appear to some Members less than in previous years but I should point out that this is due to the adoption of G.A.A.P. (Generally Accepted Accounting Principles) accounting which mean that effectively £11.6 million which is shown under table 7.2 is now included in revenue expenditure budgets because of the rules that you cannot capitalise assets that should be effectively taken in one year. These are all included in table D and tables F to I. I should also at this point I think point out the importance of the contribution from the proposed capital receipts that is as a result of the proposed disposal of property assets. £14 million in 2010 is enabling this capital expenditure programme to go ahead. It is, therefore, crucial I would say that Members go on to agree the disposal lists in table J for 2010. All the changes between the previously approved in principle programme for 2010 and 2013 and the current ones are in the annexes. They can be seen on page 210 of the annex to the Business Plan. All the individual schemes and rolling allocations are included in the capital section on the page afterwards. The Public Finances Law only requires us to approve the 2010 programme and in principle programmes the year after. The Council of Ministers is proposing a gross allocation for capital works of a total of £34.587 million for 2010. As I have said, £14 million from receipts, £10 million from social housing and £4 million from other disposals. The summary of all the proposed allocations is shown in table D on page 97. It includes all of the programmes: the social housing programme, Grainville School, projects for health, JD Edwards I.C.T. project, airport below ground works, various infrastructure works, maintenance allocations, importantly a health C.T. (Computerised Tomography) scanner scheme, a TETRA radio replacement. I move part (d).

The Greffier of the States (in the Chair):

Is paragraph (d) seconded? **[Seconded]**

12. Draft Annual Business Plan 2010 (P.117/2009) seventh amendment (P.117/2009 Amd. (7))

The Greffier of the States (in the Chair):

There are a number of amendments to the proposed capital programme, the first of which is in the name of the Connétable of St. Helier, the Seventh Amendment. I will ask the Greffier to read that amendment.

The Deputy Greffier of the States:

On page 3, paragraph (d), after the words “withdrawn from the consolidated fund,” insert the words “except that the allocation for the item ‘T&R (PH) Backlog Maintenance’ under the heading ‘Earmarked Funds and Rolling Allocations’ shall be reduced by £400,000 and the following new items shall be added to Table D under the same heading, P&E Urban Renewal Fund, proposed allocation £400,000.”

12.1 The Connétable of St. Helier:

I have to say first of all that it was disappointing to have had no warning that this funding that has gone through the proper processes and been approved was to be removed. There was no consultation with the Urban Task Force which was a great surprise, but never mind. Just on Tuesday evening the latest urban regeneration scheme in La Motte Street was officially unveiled. It was good to see the Chief Minister, the Assistant Chief Minister or Minister for Treasury and Resources, the Minister for Economic Development and the Minister for Transport and Technical

Services there with the workforce who carried out the work, Chamber of Commerce representatives, traders who had requested the work and residents of La Motte Street who are also behind it. We had, I think everyone will agree, a very useful launch and a very pleasant evening. It was a much more pleasant evening because I had run into the Minister for Treasury and Resources on my way to the States on Tuesday morning, ready to roast him for his failure to support the urban regeneration initiative, which in the past he has been so much in favour of. I remind Members of the Broad Street scheme - not an easy one to get through but what a wonderful new urban square we have - or the Conway Street pavement widening and improvements that have made that entry - that gateway into St. Helier - such a pleasant street for everyone to use. When I met Senator Ozouf in the street on the way here, we agreed that these were good things and he gave me an undertaking that funding will be available for the schemes that the Urban Task Force, on which he sits and on which the Chief Minister sits as well, will go ahead next year. I would just like to read the note I sent him on Tuesday because I think subject to his confirming before the States that this is indeed the case, I am very happy to withdraw the amendment: "Very pleased I can withdraw my amendment [I said] on the basis that schemes in the pipeline of the Urban Task Force will not be left unfunded next year, principally the Cheapside and Midvale Road Schemes but I will confirm and get fiscal stimulus applications in as soon as possible. Please can we have an update on the Harcourt letter?" Sorry, that is something else and we look forward to hearing about the Esplanade Quarter scheme as well. So on the basis that the Minister for Treasury and Resources is willing to continue to work with the Urban Task Force to make sure that Cheapside, in particular, an area that we all use and we must all recognise I think needs urban regeneration. On the basis that those schemes are going to go ahead next year subject to the applications going in, I am very happy to withdraw this amendment.

The Greffier of the States (in the Chair):

The Minister for Treasury and Resources should give that assurance.

12.1.1 Senator P.F.C. Ozouf:

I have been attempting to contact the Constable over the previous few days but I understand his mobile phone was not working so we were not able to communicate. He and I have discussed previously that I think it was Tony Travers, from the London School of Economics, when advising governments on fiscal stimulus said that fiscal stimulus money should be used where possible for urban regeneration. I am not entirely sure why the 2 schemes were not applied for, for the fiscal stimulus money. It may well mean that something may not happen. But on the basis that he has given an assurance and we have spoken with the Minister for Transport and Technical Services that they can happen in the timely way the fiscal stimulus money can be delivered - and that is in the next few months, where we think that there are going to be issues and where we can get good value for money - I am happy to confirm what the Constable says and that we should continue to deliver fantastic urban regeneration which improves the lives of the people that live there and makes St. Helier a better place.

The Greffier of the States (in the Chair):

Very well. The debate has not formally opened. The Connétable indicated he wished to withdraw it which is his prerogative.

13. Draft Annual Business Plan 2010 (P.117/2009) amendment

The Greffier of the States (in the Chair):

The amendment is withdrawn which indicates the Assembly can move to a further amendment which I feel will not be quite as uncontroversial [**Laughter**] in the name of Deputy Southern, the first amendment. I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

On page 3, paragraph (d), after the words “withdrawn from the consolidated fund” insert the words “except that the following item shall be added to Table D under the heading ‘Major Equipment, Building and Civil Engineering Works’ T&TS, Town Park, Gas Place, proposed allocation £10 million with an increase in the amount to be withdrawn from the consolidated fund from £34,587,000 to £44,587,000.”

13.1 Deputy G.P. Southern:

I notice with hope in my heart that the sun is shining and we have had an outbreak of something which is even close to camaraderie in the past few minutes. Let us hope we can keep it that way, Minister for Treasury and Resources and Chief Minister. Here we are again with the Millennium Town Park, so-named, and we have a debate about 2 issues: (1) the need for a town park in the particular place that it is placed; and (2) the vital, the key, the rub, the funding of the town park. Just briefly I just want to go through some of the history of how we got here because it is a very sad reminder of what can go wrong in the way in which we run the Island because it was way back on 5th September 1995 that Senator Syvret lodged a proposition calling on the States to agree in principle to creating a public park in the northeast town of St. Helier. The States gave its backing and a total space was suggested of 3.2 acres; the whole space - Talman and Gas Place - which equates to about one hectare and, lo and behold, we made progress. On 2nd December, the presentation of a petition of the time, 16,404 residents signed it calling for the Millennium Town Park. By December 1997, we went ahead and purchased the Talman site which we did not previously own. So we have got the land. We were making progress. Sadly there the whole thing went wrong. July 1998, a full consultation exercise was done about various options of the way forward and it was noted that the preferred option was for a full town park covering the full site with some underground parking. At the time the suggestion was that that would be 3 floors of underground parking and that zoomed the price right up and that became a problem. By June 1999, independent evaluation of the financial aspects had been conducted and initial plans had been drawn up to meet the need for: (a) the park which is absolutely vital in that area; and (b) the parking requirements. That Millennium Town Park remained a priority for the States whenever it was discussed. For example, in 2005, we find the Policy and Resources Committee of the time strongly supporting the development on a town park on the gasworks and Talman site: “Delays in the development have been unfortunate. The committee believes that the project should be given a high priority and brought forward as soon as realistically possible.” The Environment and Public Services Committee of the day: “The committee supports ... [that is 2 committees, probably 14 people supports] the development of a town park and has devoted a considerable amount of time to examine how development of Talman and the gasworks site can be achieved within funds available.” Again the Strategic Plan, way back 2006 to 2011: “Develop a viable proposal in 2006 to provide a new town park for St. Helier within 3 to 4 years.” The rub has always been the funding. In order to try and get that funding promoted, I lodged a proposition back in 2008 to fund out of the interest in the Strategic Reserve. That is an awkward way round it but, nonetheless, it had the desired effect of getting an extra tranche of funding put in the 2009 Business Plan, £5million to take the funding up to £7.5 million, in order that we could start a town park in 2010 and have it delivered by the end of 2011. That was the reality. Lo and behold, come the 2010 Business Plan, that had been chopped. The suggestion I am making in this proposition is that there is funding available which we could use in the Fiscal Stimulus Plan. We have money. I believe this project can be funded and it is entirely appropriate that it can be funded from the fiscal stimulus money which has already been put aside. Instead the Council of Ministers are suggesting that what we should rely on for the funding is not this money that we already have and could use should we choose but to rely on some nebulous planning gain which would come out of the North of St. Helier Masterplan which many of us have seen but perhaps not all of us. The North of St. Helier Masterplan has not come to the House for acceptance. In total it talks about some £114 million worth of works, some of which will not be acceptable to many people. It is highly unlikely that that

masterplan will come and be accepted in its entirety in the coming few years. How many times have we seen masterplan after masterplan? EDAW was there some time ago. Never developed. Never pushed through. Is this likely to be pushed through so that we can get Millennium Town Park finally in existence? I would suggest to Members that that is highly unlikely. But we have an alternative. We have the fiscal stimulus money which we could use. The key there is the fiscal stimulus has 3 requirements. It is the 3Ts we have been told. It must be timely, it should be targeted and it should be temporary. We are told that the lead time on this project is such that it is too great to be called timely. Hang on. Not 12 months ago, not 6 months ago, we had money available and we were ready to start and we were going to deliver, start in 2010 and delivered by the end of 2011. Not 6 months ago. But all of a sudden now when I say can we please use the fiscal stimulus money to get this underway, we are told that cannot be done. It is not timely enough. It is not quick enough. It is not, as they say, shovel-ready. Hang on. We have got several designs that have been examined in minute detail. We have got plans about decontamination, *et cetera*. How long does it take to knock those into shape so that we can still deliver by 2011, appropriately for when we expect the recession to be coming to an end? Despite the arguments to the contrary I think it is a timely project. It should be targeted. Policy should hit the intended target, whether it is to support activity and employment in the Island and support those most adversely affected by the downturn and implement projects which have intrinsic benefit. Certainly it is a project that has intrinsic benefit. Nobody is going to argue that it has benefit. It has been on the cards for the last 15 years and every time it has come forward, its merits have been recognised. Of course it has intrinsic benefit. Is it targeted? I believe it is. The argument again that has come forward from the Council of Ministers that it is not sufficiently targeted and that, for example, the remediation work must be done by experts which are not based on the Island. Therefore, there will be some leakage out of the system. But if we examine how much the remediation is going to cost, it is going to cost approximately £2.6 million. The whole project is looking like £7 million plus the car park. So a relatively small proportion may leak out through the experts that we need to remediate the land but I would say not a significant amount. Is it temporary? There should be no negative long-term implications for the public finances, no long term damage to the tax base - I do not see that - and no long term spending commitments. We are told but, hang on, there is some long-term spending commitment because we have got to maintain the park. Whatever happens and however we fund it, that we can commit to surely given that we have wanted this Millennium Town Park for 15 years. Yes, it comes automatically that we will, once we have it, maintain it however we fund it. One of the key issues that dogged the Millennium Town Park has been the size of the park. Here comes the rub, the disadvantage for the Council of Ministers' suggestion that we rely on the planning gain in order to deliver the park because way back in 2000 in assessing the Millennium Town Park, a full size park with underground car parking. It says here: "The States would deliver its long-standing promise of a high quality Millennium Park. Its size would provide the scope to deliver space for both active and passive recreation. A public park of this size - one hectare - would encourage a critical mass of people in this area. Such people movement would create a self-policing environment that would discourage the antisocial behaviour which has occurred in some municipal parks in the U.K. where the park has become isolated from the surrounding area." So there are the arguments. A critical size. That critical size could be achieved using the funding mechanism I am proposing. The alternative of relying on the planning gain means that the size of the park is substantially reduced by building housing I believe on effectively 3 sides. That will reduce the level of activity that can take place in that park and the amenity that the park will provide and may reduce the park below the critical size that it becomes self-policing and it becomes isolated. I refer Members to a letter circulated yesterday from Michael Felton Architecture - an architect - which says: "Following considerable publicity surrounding the latest proposals for the town park area, we are extremely concerned that if funding is to be met by the developers, the park will not have the social benefits originally promised when our practice worked on the earlier scheme with EDAW. The sheer volume of built elements and the requirement for associated private space will negate the whole concept of the neighbourhood park. This London

Square approach without suitable planning controls could well end up as essentially a private amenity area railed-off perhaps and closed to the public. Building on the Talman land will further restrict what is already a very narrow area opposite the cinema into a mere slither of green with few benefits other than visual for those passing through the area. The high element of housing on Gas Place [and this is 4-storey developments; it is big] will also restrict park activities to largely those of a passive nature. We would question whether Hopkins and Townsend have given any significance to the earlier workshops held at the Town Hall. This was the conclusion of extensive consultation. What is it we want? The full area. The maximum area we can use for recreational activities without building on bits of it and having half a park because that is what the alternative would be. In this age of consultation, surely [he says] these should have been reconvened prior to making this particular model.” There we go. Using the funding I suggest which we have already is appropriate. It will deliver a town park of the right size. It will deliver some of the parking and the parking, remember, should come out of the Car Park Trading Fund. That is what it is there for. In the financial statements around the planning, we see Car Park Trading Account, £15 million to be the funding stream. The parking is there to be paid for out of the Car Park Trading Account. The remediation, £2.6 million or thereabouts, is part of the overall cost of £7 million in order to deliver the park on top. That is perfectly feasible within the limits suggested by my proposition of around £10 million in total and possibly not even that. It may be that that contains a margin for increased costs compared to some of the old estimates that have been produced. I think it is the right level of commitment. I think this House has an opportunity uniquely to benefit from these harsh recessionary times by creating something truly worthwhile as a consequence of responding to those recessionary times in a timely and appropriate manner. It is about time that we delivered on Millennium Town Park. We can do it and we can do it appropriately and sensibly now. Please support this proposition.

The Greffier of the States (in the Chair):

Is the amendment seconded? [**Seconded**] Now there is an amendment to the amendment in relation to the sum of money involved. I will ask the Greffier to read the amendment.

Deputy S. Pitman:

Sir, before you do I would like to withdraw the proposition. I have had words with Deputy Southern. He got the figure of approximately £10 million from our previous Minister for T.T.S., former Deputy Guy de Faye. I have come to the conclusion that as he was such a big fan of the J.D.A. then I would have to go along with that.

The Greffier of the States (in the Chair):

Very well. Thank you, Deputy. So the amendment to the amendment is withdrawn. So the debate opens on the amendment itself.

13.1.1 Senator P.F.C. Ozouf:

There is an obviously related proposition that we will deal with later in relation to fiscal stimulus funding. I must say this because Deputy Southern in his opening remarks has effectively dressed this proposition up almost as being an easy proposition for us to agree because it can be dealt with by fiscal stimulus funding. There are Members in this Assembly from Corporate Affairs Scrutiny Panel. They perhaps will make their own observations having done a lot of work on fiscal stimulus. I am afraid that such a proposition is simply not possible from fiscal stimulus money, the 3Ts being targeted, timely and temporary. On timing, the aim of fiscal stimulus and the undertakings that have been given to this Assembly is that work should be carried out during the period of the downturn, i.e. according to the Fiscal Policy Panel’s advice within 6 to 9 months of the economic downturn. It is simply not realistic for this Assembly to promise to deliver the town park within that period. It will not happen within the timeframe and any amount of money spent on the town park will be outside the window of the fiscal stimulus plan. On that basis it cannot be

agreed from fiscal stimulus funding. I am afraid I need to be honest with Members - and we will come to the overall cost of the town park which I am afraid cannot be delivered for £10 million - that the first amounts of money will be for remediation and that would not be for local contractors. That will inevitably be U.K. contractors being brought in and, therefore, also not fulfilling a second criterion. The third criterion of fiscal stimulus funding is that it is temporary. Well, there is going to be an ongoing revenue expenditure implication from the town park. That is not a bad thing but there is not funding in budgets for that. Perhaps that is not the most difficult of the 2 but I am afraid it cannot. I would not be doing the job that the Assembly instructed me to do in terms of fiscal stimulus funding by agreeing any money for the fiscal stimulus plan. I am afraid I have to be clear about that. It just simply does not fit. I also need to say that the capital programme needs to be affordable. This is a very significant amount of money. The Council of Ministers is of course sorry that it has had to reprioritise the plan and we regret because this Council of Ministers and the previous one supported the town park. The reality is that we do not want to put promises that we cannot deliver. £10 million will not be sufficient to deliver the town park. More money - in fact millions of pounds more money - will be required. The important point I think that Members would wish to perhaps take on board is that the Minister for Planning and Environment has launched a review and now is in consultation for the North of Town Masterplan. The Minister for Planning and Environment inherited a situation where to deliver the town park he was going to put a multi-storey car park on Ann Court. Some of us were involved in the original decision making on that and perhaps had not thought through the whole implications of that. He felt that there should be a joined-up plan in relation to the North of Town Masterplan. We have seen the North of Town Masterplan. There are a number of Members in the Assembly that have seen the plan which is now out for consultation. Many Members who attended the presentation thought that it was, I think, creative. They saw that it had a better solution for car parking than a multi-storey car park on Ann Court. They saw solutions for Minden Place. They saw a sensible redevelopment of Green Street. They saw routes to schools. They saw a wonderful potential for regeneration from the North of Town Masterplan. I personally thought that it had an element of magic in putting a fantastic regeneration of that part of town which other people have said used to be the Kensington and Chelsea of Jersey and effectively had a regeneration of David Place and all the roads around there. Most importantly from a Treasury point of view, it was and is out to consultation as being cost neutral. Of course there is a cash flow requirement. The important point is that this plan is out to consultation. If we agree with Deputy Southern's proposal we are effectively fast-tracking and already deciding on something which is out to consultation. The Council of Ministers is supportive of the town park. We want to see the town park delivered. We also want to see the consultation of the North of Town Masterplan concluded. The Minister for Planning and Environment has undertaken to bring the outcome of the North of Town Masterplan to this Assembly. The Council of Ministers undertakes, based upon the outcome of that North of Town Masterplan approval by this Assembly, to bring forward the financial arrangements that will result from that plan. If there is a debate that is successful to remove some aspects of the development - which there are obviously very strong views on either side of this but that is a plan that needs to be properly debated and properly consulted on - then there will be an effect on the net position of the North of Town Masterplan and the Council of Ministers undertakes and I, as Minister for Treasury and Resources, undertake to bring forward a funding mechanism in order to achieve that. That is going to be a difficult situation to deal with. It inevitably means that one or 2 other capital projects will need to be deferred or deleted. It may well be that we need to put off, for example, the police station further amount of money or the prison relocation or perhaps it is going to be St. Martin School that needs to be pushed off the programme. I see my friend, the Minister for Education, Sport and Culture, looking aghast but there is a consequence and that is what Members need to understand. There is a consequence of dealing with such a large additional spend. The reality is that £10 million will not deliver the town park next year. It is likely that we will not be able to spend the money next year.

Deputy G.P. Southern:

Will the Senator give way?

Senator P.F.C. Ozouf:

I will give way if the Deputy wishes.

Deputy G.P. Southern:

Nobody has suggested and it is foolish to suggest that anybody has that we can deliver the entire town park by next year. By 2012. End of 2011, it was the aim until recently. It still could be the aim.

Senator P.F.C. Ozouf:

I think that the Deputy and I are as one in relation to wanting to deliver the town park as soon as possible but we need to deliver the North of Town Masterplan, agree the way forward, agree what we are going to permit, what we think is a good idea in relation to building on the town park or not, let that debate happen and then deal with the financial obligations. This is not a debate about whether or not the town park should happen. This debate is premature, ahead of the North of Town Masterplan debate. The Council of Ministers gives its undertaking to deal with the financial ramifications following that in a completely transparent and open manner. The Council of Ministers urges Members to reject this proposition but continues to support work on the town park and to see that delivered. There is going to be a difficult debate. There are going to be some strong words on either side. I urge Members to bear these comments that I make in mind, that this is not about not delivering the town park. This is a timing issue and it is also about a realistic financial arrangement of what can be spent and what cannot be spent and what will be delivered for £10 million. I urge Members to reject the proposition.

Deputy G.P. Southern:

Sir, may I seek a point of clarification from the Minister for Treasury and Resources? He has suggested that the costing would be millions of pounds worth more than the £10 million I have suggested. Does he not agree with the figures produced by the north plan development appraisal that £7 million will deliver the public park including £2.6 million remediation and that the parking element - the underground parking - is in the range of £5.5 million to £6.5 million and that it is suggested that the funding stream to pay for that, there is £15 million in the Car Parking account? Does he not agree that the figures produced by the north plan development appraisal suggest that it is perfectly feasible within the Car Park Trading Fund and the £10 million?

Senator P.F.C. Ozouf:

The Deputy is effectively trying to undo and to effectively influence the consultation on the North of Town Masterplan. The North of Town Masterplan has a whole series of linked developments in and he effectively wants to completely set aside all of the work that has been done and simply go ahead with the original schemes that were there. He knows that £10 million will not deliver the town park as originally envisaged. He knows that and I think that we need to absolutely be clear that it is a significantly greater sum than £10 million to deliver the park that is now being consulted upon.

The Greffier of the States (in the Chair):

It is not question time.

Deputy G.P. Southern:

A point of correction, Sir. I think it is. I am not talking about 3 floors of underground parking which is the element originally which would shove the cost right up to £23 million. I am not talking about that. I am talking about one floor of underground parking. That is costed in here and it is between £5.5 million and £6.5 million. That is the fact.

13.1.2 Deputy A.K.F. Green:

Initially when I saw this amendment I was minded that we had the North of Town Masterplan and that we should wait for that to come out. Then I went to the presentation on the North of Town Masterplan and I have to say while there are some parts of that plan which have merit, for example, the widening of the road and bringing one-way traffic down Bath Street, some of the walkways and green passages through town. That has merit but basically the plan is fundamentally flawed. **[Approbation]** If we knock Minden Place car park down, that is fine if we want to kill the market completely, fail to replace sufficient parking for shoppers, build a park that will be free but will be a luxury courtyard for the luxury homes built around it. I can see the signs now “No ballgames”. Heaven help the children if they enjoy themselves. It is fundamentally flawed and that is why I will not wait for that consultation. The people of St. Helier have been promised this park time and time and time again. It is time to fulfil that promise. The people of St. Helier put up with the toxic fumes pouring out of the incinerator and we are going to have another incinerator in St. Helier. They put up with the sewerage works. They put up with the heavy traffic of people coming in to work from the outer Parishes. They put up with the noise at night of all the nightclubs. Maybe we should take a leaf out of the Constable of Trinity’s book and tell everyone that does not live in St. Helier, they have to leave the Parish at midnight. **[Laughter]** The people of town deserve to have the promises met. They deserve to have a quality environment. I have no doubt that the premises around the proposed park when the park is built will be developed, will improve. But it will be the people of town that will benefit not the speculators. **[Approbation]**

13.1.3 Deputy S. Pitman:

I have to say I am not surprised that the Minister for Treasury and Resources is opposing this. First of all, I would like to turn to the comments made by the Council of Ministers and their points: timely, targeted and temporary. On the first one they comment on why this proposition does not meet their criteria. Timely: “The lead time required to let a contract to commence works on the site is in order of 12 months from the date the cars have been relocated, which is outside the Fiscal Policy Panel’s 6 to 9 months ideal timeframe as set out in P.55.” Ideal. How pathetic because it is not an ideal. Secondly, the point targeted: “The first activity to be undertaken is the remediation work of the contaminated ground. This work is specialist in nature and could not be undertaken by on Island operators. The proposal is, therefore, not well targeted to supporting activity and employment in the Island.” All I have to say is our population plan, does it meet that? We have population increase which is predominantly to support the finance industry. We have predominantly foreigners supporting our local finance industry. I am sorry, if we cannot get outsiders, if the Council of Ministers is saying we cannot get foreigners to construct a town park for our local community, really it does not make sense. He does not have an argument. No, I am not giving way, Sir. He has had his time.

Senator P.F.C. Ozouf:

The Deputy was misleading the Assembly. I was talking about the fiscal stimulus package.

Deputy S. Pitman:

Sorry, we have a local industry supported predominantly by non-locals but we cannot build a town park for locals because it will be by foreigners. Then the point temporary, it says: “The cost of maintaining and operating a park and underground car park has been estimated at £560,000 per annum.” Is this not going to happen anyway? If we agree to the Masterplan, we are still going to have that bill. As has been already said, the Jersey public have waited nearly 15 years for something to be done and hurdles to prevent it have always been money. As Deputy Southern has said, we have had several Masterplan proposals and I know the current one is contentious. One of the issues is that some of the land promised to the Jersey public, most of them taxpayers - and let us not forget that they will be paying for this project - is proposed to be sold to private developers. Not only will the park have social benefits but it will have economic benefits too and this can only

be a good thing during a time of downturn. I would say, like others, when is it going to happen? Future budgets. We have the Zero/Ten policy coming in soon - within months - and, I am sorry, but budgets are going to tighten and tighten. So I cannot see it happening. I would just ask especially the Minister for Housing who used to be a Deputy within the constituency where the town park is being build to look further than his distaste for the J.D.A. and think of his former constituents and their wellbeing.

13.1.4 Deputy D.J. De Sousa:

Can I just put something right with the good Deputy to my right? You made a small mistake. It is the remediation that will probably be done by specialists off-Island, not the construction of the park. I do not usually repeat what other people have said. I will try not to but that is really difficult because Deputy Green basically said everything that I wanted to.

The Greffier of the States (in the Chair):

You do not have to repeat it, Deputy.

Deputy D.J. De Sousa:

Thank you. The town park has been promised for so many years. The original plan has so gone. If we build a town park with housing around it, it will not be used as a park. It will not be to the benefit of the residents of St. Helier and those that work in St. Helier. If it is done properly, people from the businesses will go and sit in the park and eat their lunch. We so often do not listen to the people of our Island. It is about time we did. I cannot see why this could not be worked out through the fiscal stimulus. As the Deputy before me said, it is only an ideal time framework of 6 to 9 months; 12 months is only a few more months. Surely this can be done. Surely we can hold up one promise to the Island and deliver it how it should be now.

13.1.5 The Connétable of St. Helier:

I think my rapprochement with Senator Ozouf was short lived. I am going to be the first to use the word “sophistry” in this debate. I think his attempt to get out of an obligation which the Council of Ministers has to deliver the town park and to keep the funding in the capital programme really amounted to sophistry. It clearly says in the Business Plan: “Deletion of the remaining funding of £7.5 million for the town park.” That is what the Council of Ministers have done. They have deleted the money [**Approbation**] set aside over many years for this project. To say I was flabbergasted when I heard this is an understatement. As Members will have seen in the previous amendment on the urban renewal funding, I do not really mind where the money comes. If money for Cheapside comes out of fiscal stimulus, that is fine. But surely the Council of Ministers recognises that they have an obligation to keep money in the capital programme to pay for the park. I did not always see eye to eye with the previous Chief Minister but one thing that Senator Walker did do, and he did it consistently, was to promise that he would deliver the town park and to make sure that there was a timetable that was set out. I think it is very sad. I agree with the Minister for Planning and Environment in lots of respects. He has a genuine interest in improving design in the Island and he has brought a lot of innovation to his role as Minister for Planning and Environment. But I think it is very sad that he suffers from a desire to gentrify St. Helier. Members who have seen the plan will have seen how his favoured consultants have superimposed on the space town squares from central London. This is not London [**Approbation**] and the houses that he would like to see reverting to gentlemen’s and gentlewomen’s residences in David Place and beyond, it is simply not going to happen for all kinds of sensible reasons. As I say, it is a pity that he also suffers from a view that spaces must be framed. So he thought the Weighbridge ought to have a national gallery there because the space needed that sort of end wall to make it work. One of the driving forces behind this Masterplan is a desire to put a line of houses and to create the perfect town square. As I think a Member has already referred, this was covered in the early consultation. Work was done which showed quite clearly that as the park is created, the surrounding houses

which turn their backs on the park will of course invest in new frontages facing the park. Indeed if one walks around the park, one can see that has already happened. There are several new properties which now face on to the park as those hoodwinked owners, I might say, wait for the park to be delivered. I believe where there is a will there is a way. Interestingly, if a Minister had insisted that the town park funding remained in the capital programme, does any Member here think that we would be having this debate today? **[Approbation]** I think it is very sad when we look back over the history and it will make a good book for someone perhaps one day, when we look back over the last 12 or so years of the town park project, which we used to call the Millennium town park project of course, there has been a consistent lack of Ministerial, or in the old days of committees, presidential support for it. It is just a pity that someone like Senator Horsfall did not think of the project but Senator Syvret did because I think if one of the establishment members had thought of it it would be built by now. **[Approbation]** Indeed, children who were first consulted in the primary schools would be in there now as young adults rather than promising their children that they would one day have a town park. The Minister for Treasury and Resources said the Council of Ministers is sorry, is sorry it has had to re-prioritise the capital programme. That really is not good enough. The Council of Ministers, as I have said, have gone back on a guarantee given by Senator Walker when he was Chief Minister that the park would be delivered by 2012. Now we all know that the way of delivering it, which was tackling the thorny problem of parking, is what led us into something of a blind alley. As we know a multi-storey car park was proposed by EDAW, a previous master planner consultant, and quite rightly the residents living around Ann Court objected to it. The masterplan that Senator Cohen, Minister for Planning and Environment, set out upon which was supposed to take 3 months and took 6, was simply designed to solve the parking problem. Where will the cars go once the park is developed? What have we got instead? We have got a solution for Minden Place car park. We have a solution for Green Street. We have some very nice pictures of how David Place could look but what the master planners seemed to forget was that the first job they had been set was to solve the problem of parking on Gas Place car park where currently 400 or so people park every day. I think perhaps one of the worst features of the park, apart from of course the fact they want to build on it and sell it to developers as Deputy Shona Pitman said, is that the 400 spaces currently used by not only residents but by commuters, by shoppers, by people visiting their dentist and their doctor, those 400 spaces are going to be replaced under the masterplan by 75. How can that be right? That part of the petition which offered a park with underground car parking not only does not offer the park but if does not offer the parking either. It does seem to me that quite happy to go through the consultation process with Senator Ozouf but not only are we going to campaign to keep the parking for residents and visitors to St. Helier, we are also going to campaign to keep the land. Members will know I have expressed the view on my blog - I sound like Senator Syvret now - but Members will know that the original scheme offered to add-in the 2 roads that go on either side of the Talman land to increase the surface area of the park. **[Approbation]** Of course they would have to be hard surfaces but they would still add to the open space there. If you put buildings on the Talman site not only do you lose the site on which the buildings are placed but you lose the ability to put the roads in to the surface area as well. I think Senator Ozouf talked about an element of magic in the masterplan, I call it a sleight of hand. I think the sooner we have that consultation process the better but certainly I would warn him that there are many people out there in the community who have already given their verdict on the masterplan. I have to say, it is a bit embarrassing, but I have not had a copy yet. As Constable of the Parish you would think I would have had one but I have not. Hopefully, one will be put through my door at some point. Finally, I did mention this, I was asked to present the petition to the States - I forget how many years ago now, it must be about 10 or 12 - and I say to the Council of Ministers I have promises to keep and miles to go before I sleep and I am not going to be giving up on this. I commend Deputy Southern for his work **[Approbation]** and I urge Members to support this. The principle of this is extremely important. Let us show the States keeps its word and let us reinstate the funding and the capital programme. **[Approbation]**

13.1.6 The Connétable of St. John:

I have spent 30 years of my life living in town. I am fortunate enough to live in a nice country Parish now. I totally disagree with the Minister for Treasury and Resources and I fully support this proposition. **[Approbation]** I think the people in that area certainly need to have a town park sooner rather than later.

13.1.7 Senator B.I. Le Marquand:

I have been very quiet in the last few days **[Laughter]** and very well behaved by my normal standards but this is a matter on which I feel very strongly indeed. The creation of the town park is a very high priority and I am appalled that it has taken so long to bring into existence. We, the Members of the States, simply must do more for those who live in the flat area of St. Helier. People who live there experience much of the worst accommodation in the Island. Here we have much of the lodging and multiple-occupancy accommodation and some of it is of very poor quality. They experience some of the worst noise pollution. As Deputy Green has said they have to put up with people returning from the nightclubs down the main streets causing a lot of noise, and that is another issue for another day. They experience some of the worst law and order issues. They experience some of the worst air pollution issues. Those who live further to the west have access to the Parade, the People's Park, the Coronation Park and to another park, whose name I cannot remember, as well as being close to the sea. Those who live further south have Howard Davis Park. The people of this part of St. Helier have been promised this for a long time. It is not surprising if they have become cynical about government when promises are not kept. I was opposed to the work on the North of St. Helier Masterplan, firstly because it was likely, by creating a number of different options, to complicate the issue and to lead to further delay and endless discussions and secondly, because it was apparent to me that there was an unwillingness among some of my colleagues to put any money into paying for the park. Not surprisingly we now have multiple options which will lead to further delay our discussions and a plan which, while building on various parts substantially reduces the size of the park and which will cost nothing. In my previous work as magistrate I became very aware of the extreme social issues that exist in this area. I am not prepared to wait any longer for action. **[Approbation]** Enough is enough. Now is the time for us to deliver on promises. The moneys set aside for the fiscal stimulus package are not sacrosanct, certainly not sacrosanct in the way in which the building of the town park is, in my view, and they have also not been upgraded. I will, therefore, most certainly be supporting this proposition.

13.1.8 Deputy J.B. Fox:

We all support the town park but the reality is when you design-out crime that it is not as straightforward and as easy as it goes. If we go back to Springfield, that was supposed to be a town park for use by the residents of the area and also for sporting, what we could call national events. The reality is that we had a very good football pitch. We pulled down an old building that needed so much money spending on it and put a brand new building fit for purpose. The result is that most of the time it is off-bounds to the local residents because we did not put the investment in, hence the cheapest way around it was putting a thumping great fence around it. The problem with the town park, as proposed, is that it has lost its resources and the Andrew Le Quesne proposals, which solves what I perceived as many of the problems, certainly financially and car parking-wise, were not considered appropriate, for whatever reason. My biggest fear is that the town park, as proposed, unless it is comprehensively done, will end up, like so many other places that I have been to in the U.K. and Europe, as an out-of-bounds area too dangerous to go outside at night especially because of drugs abuse, the "needles park" type syndrome, unless it has the proper in-built facilities to ensure the safety of the people and that includes the residents that walk round there, *et cetera*. What the North of Town Masterplan was designed to do was, in the crime prevention terms, very good crime prevention principles are that if you want to have increased density and population the St. Helier urban area is the one that has been proposed in order to save our green fields and our

green areas but you cannot have everything all together. I certainly do not like 4-storeys high because I think that is too high for a start, but I do not like areas that are left with good parts and bad parts which usually what happens is is that the good parts end up by being abandoned because of the bad parts. So, you have got to have a co-ordinated plan. Certainly if you look at Broad Street and what is proposed in Bath Street and David Place, they are the future. They encourage people to use it but they have restriction on vehicles and they encourage footpaths, cycleways, *et cetera*. As far as the thought of having a great big multi-storey car park replaced in Ann Court, it is against all the design principles and yes, there is a danger that a park encompassing or being surrounded by newly-built houses or homes, could be territorialised by the residents that are there and, therefore, stopping others from using it. Do you find it in such areas in the past of especially housing developments where there is the opportunity of putting play areas for youngsters or teenagers or facilities for teenagers or whatever and the residents say: "No way"? I mean Le Marais is a prime example and Le Squez. This is an ideal time at building these new facilities and these new homes, these new apartments, flats, *et cetera* but they do not have the facilities. Where we do not want to go is back to the old days in a few years time when people start vandalising, causing arson and setting fire to and all the other criminal things that happen. This is part of good design. I feel in a very difficult position today because I want to support this proposition but I recognise that, at the moment, it is just talking about one area that is a proposed park but is not talking about the surrounding area. The other thing about it is the North of Town Masterplan principally is dealing with that which is controlled or owned by the States as opposed to the private sector. We know that there is huge potential developments from the Le Masurier site, for arguments sake, from what was Ann Street Brewery and, at the moment, this is out for discussion. In the *Evening Post* the other night or last night, there was an article by the residents of that part of town. They were saying that they initially liked the look of the northern masterplan. From my experience of masterplans that I have been involved with and dealt with, not only here but in the United Kingdom as part of being a member of a national technical committee, is that they very seldom look the same as what was first proposed because the whole point of consultation is is that you ask the people and all the other people that it affects and it is adapted and it is amended to improve what the people say. But usually, on such masterplans, is that you do need to have pump-priming measures to get it off the ground by either the government or by local authority or by some other corporate means, depending on where it is and without that it does not take off. We have just been discussing cycle routes, it is exactly the same thing but on its own it will not work. It has got to have the support of the private sector. Now, I agree the thought of property developers going in and building great big monolithic buildings and then selling them off, conjures up all sorts of concerns and worries but the one thing about the people that live in there is that they will have improved housing stock than what many of them already have at this moment in time, if they are the right design, i.e. for ordinary people. They also provide natural surveillance for green areas that allow the public to use them in safety without being afraid of being attacked or otherwise turning into no-go areas. We must not forget that we have the Minister for Home Affairs who has just spoken about the support for the plan but the other side of the coin is that he is going to need the policeman, the Parish Constable is going to need the Honorary Policeman or the Parish Wardens, to be able to police it. Otherwise, it will end up by not being used other than maybe in the daytime. So, what I am saying to you basically is that at this moment in time we have got a promise to keep and it does not have to take a long time but we have got to start putting the jigsaw together and we have also got to have the resources to be able to do it in a co-ordinated way. Otherwise, all you will end up with is a second-grade problem area for the future and that is the last thing we need.

13.1.9 Deputy P.V.F. Le Claire:

I do not know how the previous speaker is going to vote. **[Approbation]** He is waiting to hear me speak, okay. I am glad the previous speaker touched upon the issues of policing the park because I was quite pleased with the Minister for Home Affairs' speech in relation to the need in the community but also quite troubled by the fact that knowing that St. Helier only has one community

policeman and that less police on the beat was forecasted in the *Jersey Evening Post* this week, I am concerned that less police on the beat in St. Helier would mean less than one. I certainly do believe that we do need more than one community police officer on the streets. Interestingly, on the weekend I took my son to a couple of parks in the car, because I am fortunate enough to have a car, and I drove to St. Brelade and I went to Howard Davis Park. I made some recommendations and some suggestions to the Constable this week in a debate about Howard Davis Park and I spoke to him privately, along with one of the Deputies from St. Brelade, about the wonderful Elephant Park in St. Brelade. I have made this point before. Living in Garden Lane, as I do with my son, I am fortunate enough to be able to drive out of town to find a safe park for him to play in. We normally drive past lots of children that do not have the affordability of a vehicle. Our family had 5 children and did not own a vehicle but we enjoyed the Howard Davis Park, which was right opposite our house when we grew up. We moved from Aquila Road and moved to Don Road. Our front door was directly opposite the Howard Davis Park and we walked out the front door into the Howard Davis Park. Then we had the added beauty of being able to go down and swim in safety at the swimming pool at Havre des Pas. I am not so certain now that there is such an appeal on that stretch of beach or indeed the open space for most residents in St. Helier, St. Aubin's beach which is not the cleanest environment for one to be swimming in. We have got all kinds of issues with e-coli and the oysters, *et cetera* and we have got all kinds of issues with the Ramsar site where we have basically cut off a large portion of open space in the built-up area for those that have to endure the surroundings. Not to repeat what the Minister for Home Affairs said but to just let Members know, I live in town. I have always lived in town when I have lived in Jersey. I hear and feel and see and breathe all of the things that the Minister for Home Affairs mentioned. It is okay for me. I have got £40,000 a year. I have got a car. I can drive away and enjoy one of the parks in one of the other Parishes. The other place we go is the football field/recreation field at St. John and enjoy the facilities at St. John's football field. How lucky my son is to be able to go to these wonderful Parishes and enjoy their wonderful facilities. They have some fantastic facilities in these other places in the Island but in this area where I live, in Garden Lane, we are now being told that we cannot get this park put on to the front of the agenda because the Council of Ministers wants to remove it from the list and Deputy Southern has not got his proposition quite right because it does not meet the criteria set out for the timely targeted and all the rest of it. Yet earlier in the debate we have heard about creative accounting from one of the Assistant Ministers [**Approbation**] and the shifting and the moving. It is okay, as I said before for the Minister for Transport and Technical Services in the appendix part of the seatbelt strategy which I have brought, to be justified because it will reduce accidents, *et cetera*. Well, hey, if we do not all have to drive out of town maybe there will be less accidents. Maybe we can just walk up the road and let our children run and play in safety. I certainly do feel sorry... I congratulate the Minister for Housing again for opening up the playground and refurbishing it in Conrad Court, fantastic, well done, little play areas like Springfield and those where the vast majority of children in town have to play. I watch kids in Garden Lane and other places in town playing football in the street on a daily basis and on a nightly basis running up and down. Yes, all kinds of hazards from all kinds of things, dog mess, cars, bicycles, drunkards, broken glass. The policing options for the People's Park and the park opposite the Parade need to be, obviously, beefed-up a little. My wife does not feel comfortable - I have said this before - taking my son to the play area in People's Park because the elements are not very friendly there at times. There certainly have been reports, in an increasingly distressing manner, of people being set upon in these areas and it does worry my wife. It does not feel a safe place to be. Yet this area of town which could be, as quite rightly pointed out by Deputy Southern and the other speakers, something for those most in need is within our grasp today. All the groaners and moaners, even if it just means one less town park debate. [**Laughter**] This is the opportunity. Save yourselves. The uplift of property in this area has been pointed out by Hopkins as increasing the benefit to the community. So, in a timely targeted manner, the introduction of this park would uplift the surrounding properties and generate income and a timely targeted temporary fashion [**Approbation**] because that would boost the economy in the area for the local people. Okay, the

specialist remediation work may have to be undertaken by outside specialists but that was always going to be and is always going to be the case. There are certainly elements of the North of Town Masterplan that you have got to applaud. You have got to applaud the architects for their work and, in fact, we are not a million miles apart because they are not saying that we have to have housing on the park. They never did say we had to have housing on the park. All they said was that if you do not want the States to have to pay for a small element of this, you will have to do it this way but it is your choice, it is your decision. They are not telling us what to do. They just sold us the different packages. This package of housing on the town park site has not gone down well from the beginning. Deputy Martin withdrew her proposition on the parking. I withdrew mine on the Gas Place site and the natural gas pipeline because I thought they were going to be looked at in the round. I got back off holiday to hear the final meeting had occurred and, like the Constable of St. Helier, even though I have been on them at masterplan, I still have not received the masterplan papers myself so, slightly disappointed in that respect. I did attend the meeting though in the St. Helier Parish Hall and I do commend the work of the North of Town master planners and the architects have put before us. They have given us the option. They have said: "Okay, create this, that and the other. Your option in this particular case, sticking specifically to the town park, it is up to the States." The States did not go to the public and ask them what they wanted in terms of Ministerial government. When every other U.K. Council was being told "it is your government, it is your choice" they were giving them referendums. We never gave them a referendum. We just said you are going to have a Ministry in the future and that is that, no consultation whatsoever. So here is our opportunity. We can deliver the town park. Minden Place car park and Ann Street car park can be phased down into an underground car park. We can have small parks improving the area, improving the quality of life for those that have to live in and around it. It is not so much for me that I am standing up for because I can get in my car. I can get into the car. I do not like to. I can get into the car and enjoy the other Parishes in this Island. I am asking all of the other Parishes in this Island to vote with the St. Helier Deputies and give us a park in that area that we can be as proud of as they are of theirs. **[Approbation]**

13.1.10 Deputy M. Tadier:

I am listening to this debate and I am reminded of a former Senator whose career I followed with some interest. It is a while back now. I think it is Senator Corrie Stein and I am reading through the various papers before I stood for election. I remember her catchphrase, if I can call it that for want of a better phrase, it was "putting people before profits". That is a very good mantra and I think it is one which is important in this debate because it seems to me that the Council of Ministers have been nothing less than mercenary in what they are doing here. The Constable of St. Helier, I believe, put it very well. We are not asking for £10 million out of nowhere. This is £10 million which was already allocated in the Business Plan and which was removed. **[Approbation]** No, we have been given an alternative proposition basically which is more or less free. When you get something and it is free you usually ask what the catch is and there certainly is a catch here. Essentially we get what we paid for and so if it is going to cost virtually nothing then there is a good reason for it. It is because housing will bring problems around there. We know that the area of the town park will be vastly reduced and this, I believe, is simply not satisfactory. We know that the town park has been dragging on for so long now that people are getting fed up. I think we really do need to get on here. We need to support this amendment which Deputy Southern is bringing. It is important that we have a green lung in St. Helier. I do not think there is anything more to say but simply that things do cost money. There is nothing wrong with investing money in a town park, having a decent town park which people can feel that they own rather than having private developers having the lion's share of the land because that is effectively what it is going to be. Just one quick question, if the Constable of St. Helier is listening, it is slightly off on a tangent but it is related nonetheless, I would like to know why the Weighbridge area does not seem to have any grass there at all? I was slightly disappointed when Weighbridge was opened and it is all, more or less, gravelled or concreted over and I think it would benefit also there, from just a small patch

of green grass where people can have a picnic and sit outside. It is important I think to have big parks but also to have lots of open green spaces in town.

13.1.11 Deputy R.C. Duhamel:

When Deputy Southern stood up to outline his proposals he told the House that there were 2 issues, the need for a park and where it goes and, indeed, the funding of that project. The need for the park has already been settled I gather and certainly the location of the park has also been settled but the second issue, and that of funding, has not as yet. We are being told that the monies to be re-inscribed in the Business Plan programme are insufficient to do everything that we want to do. So, let us get our heads in gear and our brains in gear and our minds in gear. We are all rooting for the same type of thing but we would like to fund it in whichever form delivers not only the project but delivers in the most efficient and effective way. With that in mind, in 2005 I brought to this House a proposition with a funding plan which was very narrowly defeated by 2 votes. One of those would have been cast by the Chief Minister of the day, which was Senator Walker, who spoke for my proposition but could not vote and he left the debate just while the vote was taken, which was a real shame. Had he stayed and a number of other Members not come forward with spurious arguments as to whether or not the Island was sufficiently endowed with enough persons of the calibre to become trustees, we would have found ourselves a way of funding the town park in 2005 without it costing a penny but it did not happen. Some of those Members who voted against the proposals were those who absolutely desperately wanted a town park, as did I, but we put that to one side and we went on. The issue of the masterplan is setting the town park into context. This is not just a debate on the town park site and its funding, there are bigger issues afoot. I am hoping that the Minister for T.T.S. will speak on the parking requirements, not just his parking requirements but the parking requirements that were called for by the 16,000-odd petitioners, who, if we go forward with the plans that have been put forward - not the current proposals that are within the masterplan but the others, the pre-cursors of that - will not deliver the solution that the petitioners wanted but we are going to turn a blind eye on that. Well, I hope not. A number of things have been said unfairly in order to kind of whip-up hysteria I feel, and unjustifiably, and we are being told that there is 3.2 acres and that constitutes one hectare. Well, it does not. It is actually 25 per cent bigger than a hectare. Why it is absolutely fundamental because if we are being told that a one hectare park by PricewaterhouseCoopers, and no doubt we will hear something of the previous reports which concentrated on the delivery of a one hectare park or half a hectare park, then we are still in the same ball game. How are we still in the same ball game? We heard the Constable of St. Helier, who did not attend the meetings that he was invited to attend as a member of the Political Steering Group to look at the masterplan, it is very rich I feel to stand up here and perhaps get his name in the paper and his picture and to suggest he has not received the report - shame, shock, horror, as if he is being ignored - he is the one who is doing the ignoring. He did not attend the meetings even though he was invited to do so. So, what is he telling us? Well, he has told us that the Minister for Planning and Environment, who is not here in this Chamber, it is his idea for gentrification and the framing of the park. He has not read the reports. I brought along the EDAW report - although Members do not have it in front of them I can perhaps show Members - - and it quite clearly shows that the town park area which is the green area, although it may not be green if it is concreted over but that is a moot point, next door to the green areas are the roads and next door to that is a dotted line or dash line and if you look at the key it says: "Redevelopment of façade treatment." The intention of EDAW and this House paid some £250,000 for this report, suggested that the way to treat the town park, which we all want and which we all agree is needed, required a façade treatment, some type of building, over the part where the road is. The part where the road is amounts to the extra 25 per cent, over and above the hectare, which is the 2 sites. What is the masterplan saying? It is not saying, as has been reported in the media incorrectly - but we cannot blame them for reporting that because perhaps they were told incorrectly - now the suggestion is we are going to be building over the whole of the site. Nobody said that. The argument today is one of how would we best wish to pay for this particular

thing and what the masterplan, which we are not particularly discussing but I have to drift into it, suggests is that there are alternative methods of building a small amount of building. We have not said where we have given some indications of perhaps where buildings might take place on the spare 25 per cent to show, as a financial exercise, how much contribution could then be put in to the paying of not only the car parking site, underneath the sites or somewhere else, but also for the town park area. In my mind I mean that is absolutely brilliant because the argument, for once, is not put on your blinkers and say: "Right, everything must be paid for by the taxpayer through the central Treasury funds." It is saying: "Well, let us see if we can squeeze out a little more blood from the stone - so to speak - and see if we can box clever and deliver, perhaps, what we all want in a slightly different way without it costing us a penny." Nobody is saying that we have to build the quantum of development which is not stipulated in the masterplan. We have got a couple of pictures which show some development around the outsides of the park and a U-shaped set of buildings around the other site but that is just one way of doing it. When you look at the figures, if indeed the quantum of building can deliver £15 million, £16 million, it does not really matter, it is up to us to decide whether or not we should be in the position of wanting to take those monies and to invest them in paying for the town park and the parking underneath. That is one way of doing it but it is not the only way of doing it. How else could we achieve it? Well, if people decide that the quantum of building is too much and it might be and the jury is still out because we have not discussed the masterplan yet, it might well be that we pull back and we say: "Well, instead of having a building that brings in £15 million what about a building that brings in zero pounds, a cost-neutral scheme." We are all here in an Annual Business Plan and we will be discussing the budget, raising measures or whatever, to raise extra funds to pay for all the capital programmes that we are setting out and the key thing that we always forget, time and time and time again because we are all taken up by the emotion of the argument and the excitement of trying to put one over on the Council of Ministers or *vice versa*, is what are we trying to do? Is the name of the game we increase the budgets *ad infinitum* and knowing that we have got problems with the finance industry and the outside world has got problems with us as well, or do we start to try and get more value for the monies that we are spending? I think that is the key issue behind this particular proposal and, in my book, I think that any method or any collection of proposals that begin to reverse the profligate habits of this Chamber over the last I do not know how many years, certainly as long as I have been in the States and that is 16, it must be a step in the right direction. We cannot go on just saying: "Right, okay, let us rob Peter to pay Paul. Let us raise more taxes because we want to spend more. Why are we spending? Because it is our project and we want to be the one with our name on the label." That is fine but it is only half the argument of why we are here. We are trying to get the best available for the monies that we are going to spend without necessarily increasing the budgets, without necessarily increasing the taxation and trying to work within our resources. If that is not the case then, come budget day, I am looking forward for not just one proposal but half a dozen proposals, all a variation of the same thing, asking for not 20 per cent taxation, lets have 40 per cent taxation, 50 per cent taxation, why not? Let us raise as many monies as we can so that we can all endorse whichever projects take our fancy but I think that is the easy way out. On gentrification, it is well known that the Minister for Planning and Environment - and I do not think he would mind my saying - does like fancy townhouses. I was party to the discussions with the consultants and certainly that was one of the sets of design drawings that they put forward but it does not have to be like that. Likewise, if you go back in the plans and there was talk for the layout of the park just having one long central straight road running down the middle. If you look at the latest I mean there is a curvy part. It might be something that goes round and round in circles and we could have a bit of fun in naming it, the Out of States Debate **[Laughter]** ... A number of members of the public have been calling for a Speaker's Corner, perhaps this would be an ideal spot for it. Seriously, the masterplan is indicative of the general principle which is there is more than one way to skin a cat, we do not have to skin the cat if you are an animal lover. Let us come back. We can have our cake and eat it if we want to but the question is, do we want to? As I say, the easy way is to say: "Let us roll over, take the money out of the Treasury, put it back." Even if we put it back

we know that it is not going to be enough. There is certainly not going to be enough to deliver the car parking proposals that the Minister for Transport and Technical Services is wanting to deliver which was part and parcel of what those 16,500 persons wanted to be delivered on the site but we are not going to give it to them. I think we are all living in cloud-cuckoo-land thinking that to put the monies back in the budget solves all the problems, they do not. I think we must have the debate on the masterplan but unfortunately we have got ourselves into a position whereby the work has been undertaken, we are slightly out of sync and we are at an Annual Business Plan proposal to deliver projects for next year whereas in actual fact the master planning process is perhaps taking us a little bit further. That debate must take place and the issues around it, to deliver even bigger and better improvements to the town fabric, must be discussed seriously and the funding has to be found to do it or otherwise the Island Plan debate is going to fall flat. The Island Plan, of which the masterplan is a part and this is no big real secret - a number of Members have referred to it already so I am able to refer to the same thing - a number of Members are suggesting quite rightly that within the Island Plan, a review that is taking place, in order to safeguard our green countryside, which is a finite resource, we must provide better class living, higher standards of amenities, less parking or less cars and congestion in town and a whole host of other things. If we hop on a plane and go and look at other societies and places are being delivered, no fuss, no sweat but people are delivering it so why can we not? This is what the vision is all about. If we turn our backs and suggest that we have to only do things within town if they come out of Treasury monies, if we have to squeeze the packages because there are not enough monies within the Treasury to pay for all of the wider benefits that we would like, then we are not going to meet the objectives or the vision of providing all the enhanced amenities within the town area and stem the tide of development in the countryside. I think that will be a real shame if we got to that stage.

Deputy R.G. Le Hérisssier:

I am not sure if the Deputy is ready to finish but is it possible he could finish now, perhaps finish totally tomorrow morning.

The Greffier of the States (in the Chair):

A number have got to go, yes. Are you nearly finished, Deputy?

Deputy R.C. Duhamel:

To be fair, I mean although I would probably like to speak for longer I do not think I perhaps should. I think the essential point has been made. We can, through a small quantum of building development which is yet to be defined, deliver all that we want without having to raid the Minister for Treasury and Resources' pots. I think that is the clever way of dealing with business and I am hoping that States Members will not support Deputy Southern's amendment which is one-dimensional and does not solve the problems into the long term. Thank you. **[Interruption]** A fanfare to finish.

The Deputy of St. Mary:

Sir, our overrun has just cost me £10. **[Laughter]**

The Greffier of the States (in the Chair):

Very well. I am sure Senator Syvret is about to propose the adjournment. Just before the adjournment though, I think just 2 matters to address very quickly. Some matters that have been lodged today: the "Public Lotteries Board: appointment of member" and the "Channel Islands Lottery: allocation of profits for 2009-2010", both lodged by the Minister for Economic Development. I would also point out to Members that the proposition of Deputy Southern on the Social Security Fund was re-issued as through no fault of his, a couple of pages were omitted from the earlier version. Chairman of P.P.C., you were just briefly going to address the issue of the future sittings for this debate if necessary.

The Connétable of St. Mary:

Yes, Sir. Thank you. We are not quite finished yet, Sir. So, having spoken to several people today and been quite encouraged by the way we have moved along on some of these matters and also having seen how the attention span seems to drift off towards the end of the day, I would like to propose that for tomorrow we start at the normal time of 9.30 a.m. and go as we have done today, with an hour for lunch as we have already agreed and finishing at 6.30 p.m., basically to keep the quality of debate strong. If the business is not finished by 6.30 p.m. tomorrow evening I would suggest that we move to the next sitting and defer the rest of the business but as we already have a sizeable amount of business on that sitting I would propose that we start on the Monday of that week, Sir. I would like to propose that, Sir.

Deputy M.R. Higgins:

I have still got to draw attention to the Assembly that the Economic Affairs Scrutiny Panel is holding a hearing tomorrow with Oxera at lunchtime. This Assembly was putting great pressure on my committee not to do a survey, first of all; to review it. We worked through the entire summer break. We have been working evenings, lunchtimes and all sorts to try and get thing completed and if you also sabotage effectively this session tomorrow we will not be in a position to bring back the thing on the 20th. I am giving notice now that if the Assembly does it, do not expect to see the report on the 20th to be able to debate.

The Connétable of St. Mary:

Sir, I would only say that we have scheduled 4 days for today's debate. It is long known that we scheduled 4 days.

The Greffier of the States (in the Chair):

I think the Deputy is making the point that he had scheduled something for a one-and-a-half hour lunch and he is ...

The Deputy of St. Mary:

Could I pour a bit of oil on the water? I have looked at the schedule just as the Chairman of P.P.C. has and I really do think we are going to get through it before 5.30 p.m. A lot of these are doubles of things we have already ... well, maybe, all right, okay.

The Greffier of the States (in the Chair):

Chairman, having heard the plea of the chairman of the Economic Affairs Scrutiny Panel, do you wish to perhaps withdraw the proposal relating to lunch tomorrow or do you wish to push it for a vote?

The Connétable of St. Mary:

Sir, I am just a little confused after what I have just been told. I am not sure if it is lunch that is the problem or whether it is after lunch.

Deputy M.R. Higgins:

We are working through the lunch period and we may then also be going into the evening.

Senator T.J. Le Main:

Why can we not start at 8.30 a.m.? I would like to propose we start at 8.30 a.m. Gosh, some of us are up 2 or 3 hours before that. Why can we not start at 8.30 a.m. tomorrow and try and knock it on the head?

The Greffier of the States (in the Chair):

We could all have lots of good ideas I think but we could all be here until 7.00 p.m. to discuss them but I think ...

Senator T.J. Le Main:

Proposition for an 8.30 a.m. start, I would like the Assembly to police the time.

The Greffier of the States (in the Chair):

Deputy Higgins has already made an alternative proposition, Senator, let us just take one thing at a time perhaps. I think the first matter proposed by the chairman was the lunch break. The Chairman proposed it was between 1.00 p.m. and 2.00 p.m.

The Connétable of St. Mary:

Sir, I thought we had already agreed that this morning but I stand to be corrected, Sir.

The Greffier of the States (in the Chair):

It was for today I think. The Chairman of the Economic Affairs Scrutiny Panel has explained he has an important hearing at lunchtime, I understand, and wishes Members to take that into account.

Deputy M.R. Higgins:

Yes, we are going to be working between 1.00 p.m. and 2.00 p.m. on this hearing and also we will be then continuing in the evening because we will not be able to achieve it **[Interruption]** ... 5.30 p.m.

The Connétable of St. Mary:

Well, then Sir, if the House will allow me, could I please then put an alternative proposition that we start at 8.30 a.m., that we have our normal lunch hour and that we finish at 5.30 p.m., Sir.

The Greffier of the States (in the Chair):

Very well. Those in favour of that proposition?

Senator S. Syvret:

Well, can we have some discussion on that? Some of us have meetings fixed with constituents and things of that nature before we come into the Assembly.

The Greffier of the States (in the Chair):

There will always be an inconvenient for everybody and we can ...

Deputy P.V.F. Le Claire:

Sorry, Sir, today is bad enough, my wife's birthday and everything else, but tomorrow I have got to take the child to school for an 8.30 a.m. start. How can I take the child to school at 8.30 a.m. and be here at 8.30 a.m.? It is really poor time management. I am sorry but if we cannot get through the business before 5.30 p.m. tomorrow starting at 9.30 a.m. then we do really need to consider putting it off. You cannot ask Members to just do that with their children willy-nilly. I am sorry, it is not acceptable.

Deputy M. Tadier:

Can I try and find a middle way? **[Laughter]** I think if we start at 8.30 a.m. and then anyone who cannot make it for 8.30 a.m. so comes at 9.00 a.m. or 9.30 a.m. and that they be given défaut excusé or that they actually do not get given défaut.

Senator S. Syvret:

Sir, we really could not have the Assembly conducting business on the kind of understanding that some Members can turn up half-an-hour later and some Members half-an-hour after that. That is absolutely absurd.

Deputy P.V.F. Le Claire:

Sir, could I make one last point of order, Sir? We have recently heard from the Chairman of P.P.C. that Standing Orders are there for a good reason and they are not there to be changed *ad hoc*. They are there set for Members to come and change. These sorts of changes, extensions and times, cuts in hours, affects business seriously, introducing early arrival times. If the States wants to start meeting at 8.30 a.m. well then I am sorry, it should be a proper formal proposal to change Standing Orders not *ad hoc* for tonight and 6.35 p.m. the night before.

The Greffier of the States (in the Chair):

Just to try and put some clarity from the Chair, there seems to me to be 2 possibilities. One is that the Assembly sits at the usual times tomorrow with the risk that the Assembly would then run into Monday, 5th October or there are all manner of permutations to try to squeeze more time out of tomorrow, none of which appear to be convenient.

The Connétable of St. Mary:

Sir, this is absolutely not the way to conduct business. The reason that I made the proposition as I did, and I do completely concur with what Deputy Le Claire said and I have been very vocal in the past about *ad hoc* changes, but I did give notice of this so that people would consider it which is why, on this occasion, I have made the proposition. So it seems that the only sensible way forward, in the light of the difficulties of the chairman of the Economic Affairs Scrutiny Panel and other Members, is to propose that we have the normal hours for tomorrow, and agree now that if we have not completed the business we defer it all and start at 9.30 a.m. on Monday, 5th October.

[Approbation]

The Greffier of the States (in the Chair):

I think that seems to have gained overall support, Chairman. Are you proposing the adjournment? Very well. The adjournment is proposed. The Assembly will convene at 9.30 a.m. tomorrow.

ADJOURNMENT