

**THE STATES assembled on Thursday
18th September 2008, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
Mr. Michael Cameron St. John Birt Esquire.**

All members were present at roll call with the exception of –

Senator Stuart Syvret – en défaut (défaut raised at 9.38 a.m.)
Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.44 a.m.)
Senator Ben Edward Shenton – en défaut (défaut raised at 11.27 a.m.)
Senator Frederick Ellyer Cohen – en défaut (défaut raised at 10.11 a.m.)
Connétable Alan Simon Crowcroft of St. Helier – en défaut (défaut raised at 11.29 a.m.)
Connétable John Le Sueur Gallichan of Trinity – en défaut (défaut raised at 12.08 p.m.)
Connétable Daniel John Murphy of Grouville – excused
Deputy Jacqueline Jeanette Huet of St. Helier – excused
Deputy Patrick John Dennis Ryan of St. Helier – ill
Deputy Shona Pitman of St. Helier – en défaut (défaut raised at 9.48 a.m.)

Prayers read by the Deputy Greffier of the States

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposer of the following proposition lodged “au Greffe” had informed the Greffier of the States that it had been withdrawn –

Annual Business Plan 2009 (P.113/2008): fifth amendment (P.113/2008 Amd.(5))–
amendment. P.113/2008.
Lodged: 12th September 2008. Amd.(5)Amd.
Chief Minister.

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chairman of the Economic Affairs Scrutiny Panel made a statement regarding the completion of a Youth Employment report.

Connétables of St. Ouen, Trinity, St. John, St. Martin and St. Savioure-election

The Deputy Bailiff, on behalf of States’ members, congratulated Mr. Kenneth Priaulx Vibert on his reelection as the Connétable of St. Ouen, Mr. John Le Sueur Gallichan on his reelection as the Connétable of Trinity, Mr. Graeme Frank Butcher on his reelection as the Connétable of St. John, Mr. Silvanus Arthur Yates on his reelection as the Connétable of St. Martin and Mr. Peter Frederick Maurice Hanning on his reelection as the Connétable of St. Saviour.

Draft Annual Business Plan 2009 P.113/2008

THE STATES resumed consideration of the Draft Annual Business Plan 2009 and, having agreed in accordance with Standing Order 26(8) that after ‘funding options’ the words ‘brought forward’ should be deleted, adopted an amendment of the Deputy of St. Ouen, that in paragraph (a)(ix) after the words “pages 31 to 32” the following

words should be inserted–

“except that after success criterion (ii) in Objective 2 on page 31 there shall be inserted the following success criterion (with the subsequent success criteria renumbered) –

‘(iii) In conjunction with the Planning and Environment Department and other interested parties, funding options to extend the mains drain network brought forward and considered by the States by end of 2009;’ ”.

Members present voted as follows –

POUR: 39

CONTRE: 0

ABSTAIN: 0

Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (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 of St. John
Deputy of St. Mary

THE STATES, adopting paragraph (a)(ix) as amended, approved the summary key objectives and success criteria for the Transport and Technical Services Department, as detailed in Part One of the report, pages 31 to 32, except that after success criterion (ii) in Objective 2 on page 31 there should be inserted the following success criterion

(with the subsequent success criteria renumbered) –

- ‘(iii) In conjunction with the Planning and Environment Department and other interested parties, funding options to extend the mains drain network brought forward and considered by the States by end of 2009’.

Members present voted as follows –

POUR: 32

CONTRE: 1

ABSTAIN: 0

Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Lawrence
Connétable of St. Brelade
Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (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 A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

Deputy J.A. Martin (H)

THE STATES commenced consideration of the summary key objectives and success criteria of the Treasury and Resources Department and adopted an amendment of the Public Accounts Committee that in paragraph (a)(x) after the words “pages 33 to 35” the following words should be inserted –

- (a) “except that for success criterion (vi) in Objective 2 on page 33 there shall be substituted the following success criterion –
 - (vi) Establish and implement professionally accepted project appraisal, management and control procedures to enable the viability, funding, financial management and variance analysis of projects to be properly considered and evaluated”.

THE STATES adopted an amendment of the Public Accounts Committee that in paragraph (a)(x) after the words

“pages 33 to 35” the following words should be inserted–

- (b) “except that after Objective 3 there shall be inserted the following new Objective and Success Criteria (with subsequent Objectives renumbered accordingly) –

Objective 4 – Improved efficiency and effectiveness of States expenditure and financial management.

Success Criteria:

- (i) In conjunction with the Chief Minister’s Department, develop an action plan to deliver potential expenditure reductions and other related issues highlighted in the Comptroller and Auditor General’s report entitled “Emerging Issues” presented to the States 19th May 2008, and present the action plan to the States with an implementation timetable prior to lodging of the 2010 Business Plan;
- (ii) Establish, with appropriate amendments to the Public Finance (Jersey) Law 2005 if necessary, an internal reporting mechanism which facilitates monitoring of expenditure and identification of variances in respect of the Service Analyses which support the Net Revenue Expenditure approved by the States in the Annual Business Plan;
- (iii) Ledger structures and definitions of costs standardized so that reliable States wide data on costs is available;
- (iv) Financial directions revised and monitored to ensure a rigorously and consistently applied unified system of financial control to ensure compliance with fundamental financial disciplines throughout all States departments;
- (v) Central authority and responsibility of the Treasurer of the States as corporate head of finance strengthened, with all finance officers and accounting staff recognizing their direct responsibility and accountability to the Treasurer;
- (vi) System established to provide financial information for facilitation of the setting of priorities for expenditure between departments to better inform the debate on resource allocation.”.

THE STATES, adopting paragraph (a)(x) as amended, approved the summary key objectives and success criteria for the Treasury and Resources Department, as detailed in Part One of the report, pages 33 to 35, except that for success criterion (vi) in Objective 2 on page 33 there should be substituted the following success criterion

- “(vi) Establish and implement professionally accepted project appraisal, management and control procedures to enable the viability, funding, financial management and variance analysis of projects to be properly considered and evaluated”.

and after Objective 3 there should be inserted the following new Objective and Success Criteria (with subsequent Objectives renumbered accordingly) –

“Objective 4 – Improved efficiency and effectiveness of States expenditure and financial management.

Success Criteria:

- (i) In conjunction with the Chief Minister’s Department, develop an action plan to deliver potential expenditure reductions and other related issues highlighted in the Comptroller and Auditor General’s report entitled “Emerging Issues” presented to the States 19th May 2008, and present the action plan to the States with an implementation timetable prior to lodging of the 2010 Business Plan;
- (ii) Establish, with appropriate amendments to the Public Finance (Jersey) Law 2005 if necessary, an internal reporting mechanism which facilitates monitoring of expenditure and identification of variances in respect of the Service Analyses which support the Net Revenue Expenditure approved by the States in the Annual Business Plan;

- (iii) Ledger structures and definitions of costs standardized so that reliable States wide data on costs is available;
- (iv) Financial directions revised and monitored to ensure a rigorously and consistently applied unified system of financial control to ensure compliance with fundamental financial disciplines throughout all States departments;
- (v) Central authority and responsibility of the Treasurer of the States as corporate head of finance strengthened, with all finance officers and accounting staff recognizing their direct responsibility and accountability to the Treasurer;
- (vi) System established to provide financial information for facilitation of the setting of priorities for expenditure between departments to better inform the debate on resource allocation.”.

THE STATES, adopting paragraphs (a)(xi) and (a)(xii), approved the summary key objectives and success criteria for the Jersey Airport, as detailed in Part One of the report, pages 36 to 37 and Jersey Harbours, as detailed in Part One of the report, page 38.

Members present voted as follows –

POUR: 36

CONTRE: 0

ABSTAIN: 0

Senator S. Syvret
 Senator F.H. Walker
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator M.E. Vibert
 Senator F.E. Cohen
 Senator J.L. Perchard
 Connétable of St. Ouen
 Connétable of St. Mary
 Connétable of St. Peter
 Connétable of Trinity
 Connétable of St. Lawrence
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy A. Breckon (S)
 Deputy of St. Martin
 Deputy G.C.L. Baudains (C)
 Deputy C.J. Scott Warren (S)
 Deputy R.G. Le Hérissier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy S.C. Ferguson (B)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)

Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. Mary

Roll call

Following the lunchtime adjournment the Presiding Officer, the Deputy Bailiff, in accordance with Standing Order 56(2), directed that elected members be summoned as the Assembly was inquorate. In accordance with Standing Order 56(2), having allowed such time as he considered reasonable for elected members to return to the Chamber, the Presiding Officer asked the Greffier to call the roll, as he believed that the States remained inquorate. The following members who had been marked as present during the morning were absent from the Chamber for this second roll call –

Senator Stuart Syvret
Senator Wendy Kinnard
Senator Terence John Le Main
Senator Ben Edward Shenton
Senator Frederick Ellyer Cohen
Senator James Leslie Perchard
Connétable Thomas John du Feu of St. Peter
Connétable Alan Simon Crowcroft of St. Helier
Connétable Graeme Frank Butcher of St. John
Deputy Alan Breckon of St. Saviour
Deputy Gerard Clifford Lemmens Baudains of St. Clement
Deputy Peter Nicholas Troy of St. Brelade
Deputy Geoffrey Peter Southern of St. Helier
Deputy Carolyn Fiona Labey of Grouville
Deputy Jacqueline Ann Hilton of St. Helier
Deputy Guy William John de Faye of St. Helier
Deputy Paul Vincent Francis Le Claire of St. Helier
Deputy Deirdre Wendy Mezbourian of St. Lawrence
Deputy Shona Pitman of St. Helier
Deputy Alan John Henry Maclean of St. Helier
Deputy Andrew David Lewis of St. John

THE STATES, adopting paragraph (a)(xiii), approved the summary key objectives and success criteria for the States Assembly and its services, as detailed in Part One of the report, pages 39 to 40.

Members present voted as follows –

POUR: 34

CONTRE: 0

ABSTAIN: 0

Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence

Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy A. Breckon (S)
 Deputy of St. Martin
 Deputy G.C.L. Baudains (C)
 Deputy C.J. Scott Warren (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy S.C. Ferguson (B)
 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 of St. John
 Deputy I.J. Gorst (C)
 Deputy of St. Mary

THE STATES commenced consideration of paragraph (b) of the draft Business Plan 2009, and adopted an amendment of the Council of Ministers that in paragraph (b) after the words “withdrawn from the consolidated fund in 2009”, the following words should be inserted –

- (1) “except that the net revenue expenditure of the Chief Minister’s Department shall be increased by £570,000 to ensure the range of functions within the Chief Minister’s Department required for a modern and responsible government are strengthened and re organised;”.

Members present voted as follows –

POUR: 33

Senator F.H. Walker
 Senator W. Kinnard
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator M.E. Vibert
 Senator P.F.C. Ozouf
 Senator T.J. Le Main

 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Connétable of St. Ouen
 Connétable of St. Mary
 Connétable of St. Peter
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour

CONTRE: 13

Senator S. Syvret
 Senator L. Norman
 Connétable of St. Helier
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy G.C.L. Baudains (C)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)

ABSTAIN: 0

Deputy A. Breckon (S)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren
(S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy of St. John
Deputy of St. Mary

THE STATES, adopting an amendment of the Council of Ministers, agreed that in paragraph (b) after the words “withdrawn from the consolidated fund in 2009”, the following words should be inserted–

- (2) “, except that the net revenue expenditure of the Chief Minister’s Department shall be increased by £200,000 to enable a new post for a Tax Strategist to be created within the Chief Minister’s Department to work closely with the Director of International Finance and International Relations officers;”.

Members present voted as follows –

POUR: 33

Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert

Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville

CONTRE: 8

Connétable of St. Helier
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains
(C)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S. Pitman (H)

ABSTAIN: 0

Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (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 K.C. Lewis (S)
Deputy I.J. Gorst (C)

THE STATES commenced consideration of an amendment of Senator Frederick Ellyer Cohen that in paragraph (b) of an amendment of the Council of Ministers concerning the introduction of a Vehicle Emissions Duty, the following words should be deleted –

“, with the approval of this expenditure, in accordance with the provisions of Article 14(9) of the Public Finances (Jersey) Law 2005, dependent upon the subsequent approval by the States of the introduction of a Vehicle Emissions Duty which will generate sufficient income to fund this expenditure”.

Adjournment

THE STATES adjourned, having agreed to reconvene on Friday 19th September 2008 to continue consideration of the Draft Annual Business Plan 2009 (P.113/2008) and the outstanding items of public business.

THE STATES rose at 5.35 p.m.

A.H. HARRIS

Deputy Greffier of the States