

4. Questions without notice - The Deputy Chief Minister

4.1 Senator B.E. Shenton:

We have received the report of the Comptroller and Auditor General in respect of the 2006 Battle of Flowers. £45,000 was taken from the Tourism Development Fund even though this was not supported by the Tourism Advisory Panel and the discussion was not minuted. In fact, the Minister has asked that this £45,000 of taxpayer's money should not be made public. He also failed to ensure that the terms on which the grant was offered had been discussed with the department's officials and properly recorded and applied. Will the Council of Ministers be examining the actions of Senator Ozouf and consider possible action, including censure?

Senator T.A. Le Sueur (Deputy Chief Minister):

The Council of Ministers will no doubt read with interest the report of the Comptroller and Auditor General which we received today, and which I have not yet had a chance to read in detail. If it makes recommendations which affect Ministers I am sure the Ministers will take it on board and the Council of Ministers will endorse the action taken. I do not want to pre-judge any course of action in that respect, Sir, but I would suggest to the Members that the Battle of Flowers is a significant contribution to the Island's tourism and leisure product for the year and that I am sure whatever actions were taken, were taken at the time in the best possible interests of the Island.

4.2 Deputy A. Breckon:

I want to ask the Deputy Chief Minister if he has any influence over the Treasury and Resources Minister. We have today, Sir, received a public sector manpower report and, again, I think it is lacking - and it is a general thing perhaps that the Council of Ministers might consider - it does not give any age of the workforce; it does not give any gender of the workforce; and it does not give any grades. If we are going to be effective in planning, Sir, could I ask the Minister if he could respond to that and if he cannot answer now could he give some guarantee that it be looked at in the future?

Senator T.A. Le Sueur:

The Deputy makes a worthwhile point. I shall certainly pass on to the Treasury and Resources Minister a suggestion that we should, in future reports, identify the relative ages and genders of the workforce as far as we possibly can. That, of course, depends on the information being provided in that respect by the relevant departments concerned. But I take the point and I will endeavour to improve the information in future reports.

4.3 Deputy J.A. Martin:

Following on from the C.& A.G. (Comptroller and Auditor General) report; it was received by all other States' Members this morning and embargoed to 9.30 this morning, would the Deputy Chief Minister, in his position, if he has any influence over the Minister of Economic Development, find out why he was on the radio between 7.00 and 7.15 discussing the report in detail, and do these rules of the embargo not apply to this Minister as it seems to in the report? There are not many rules that do apply to the Minister.

Senator T.A. Le Sueur:

I was not aware of any particular embargo. I see that the copy on my desk says: "Embargoed until 9.30" but what arrangements the Comptroller and Auditor General may have made in respect of its publication I have no idea. I am given to understand it may well be that the Comptroller and Auditor General was of the view that no such embargo existed, and on that basis it may well be that any remarks prior to the 9.30 date were issued in total oblivion of any stamp on this document.

4.4 Deputy S.C. Ferguson of St. Brelade:

Would the Assistant Chief Minister like to comment on the fact that the Comptroller and Auditor General would not put an embargo on something without thinking about it, and therefore discussing it in the media before all States' Members have had a chance to read it was perhaps impoliteness with regard to the House?

Senator T.A. Le Sueur:

If the Comptroller and Auditor General had issued an embargo until 9.30 it would have been in very poor judgment to make any comment before that time. I am led to believe that the Comptroller and Auditor General placed an embargo until one minute past midnight this morning. On that basis, Sir, I believe that the actions that have occurred since that time have been consistent with the Comptroller and Auditor General's action.

4.5 Senator J.L. Perchard:

I notice in the revised 'Zero/Ten' proposals, a copy of which Members had on their desks this morning, that the Treasury proposed to drop the £500 Regulation of Undertakings levy. Does the Minister agree that it is important that foreign-owned companies trading on the Island contribute towards the Island by paying taxation, and will he endeavour to bring forward an alternative proposal to R.U.D.L. (Regulation of Undertakings and Development Law) in an effort to ensure they do?

Senator T.A. Le Sueur:

It is not only my view, it is the view of this House when we discussed the fiscal strategy, that we should as far as possible endeavour to obtain some alternative revenue from non-resident shareholders of those companies. Whilst I have dropped the proposals to use the Regulation of Undertakings mechanism to achieve that I shall be looking very seriously at an alternative proposal which has been put forward to me through the Scrutiny Panel and by a member of the public, and to see whether that, in fact, can achieve an alternative solution. That is very much a live issue as far as I am concerned and I am sure that the question is perhaps one addressed more to the Treasury Minister, but I am happy to confirm that on his behalf.

4.6 Deputy C.J. Scott Warren:

Can the Deputy Chief Minister give States' Members an assurance that the current lack of air links to France, apart from a twin jet service to Cherbourg and Paris - which is obviously completely unsatisfactory - will be quickly addressed?

Senator T.A. Le Sueur:

I am confident the Assistant Minister for Economic Development dealing with aviation matters is taking this very seriously and is taking active steps to encourage airlines to express interests from all destinations in Europe. It is something which, from the Council of Ministers' point of view, we would say is important to have these air links, but we recognise the commercial and economic difficulties of trying to run those routes on a regular basis without adequate passenger throughput.

The Bailiff:

Perhaps I might just say to Members that the Greffier informs me that there was confusion about the embargo on the report of the Auditor General. He put an embargo on it at 00.01 - that was the note of an embargo on the document given to the media - whereas the Greffier, in ignorance of that fact, had put the standard 09.30 embargo stamp on Members' copies; so that I think probably explains what went wrong.

4.7 The Deputy of St. John:

Could the Deputy Chief Minister follow up my continued request for a timetable for review of the current extradition laws? The Chief Minister has indicated in previous question time possible changes are not totally dependent on changes in the U.K., so could the Chief Minister's Department please confirm a timetable to review?

Senator T.A. Le Sueur:

I have no up-to-date information on a timetable for the extradition review, but I shall take up with the relevant parties concerned what that might be and make sure that the Deputy and Members of the House are kept informed.

4.8 Deputy G.P. Southern:

What steps to ensure proper co-ordination between departments is the Deputy Chief Minister aware of in producing a population register for the Island?

Senator T.A. Le Sueur:

The population register, Sir, is one aspect of the migration policy which is being worked on by a combination of officers from the Chief Minister's Department, the Economic Development Department and the Housing Department in conjunction with Social Security. I think for the first time we are getting a joined-up approach in this from the departments concerned and I have every reason to believe that a population register when produced will not only be informative but also be statistically more reliable than they have been able to achieve in the past.

4.8.1 Deputy G.P. Southern:

Supplementary, if I may, Sir? Is the Deputy Chief Minister aware that as part of this co-ordination, the health service is outside the loop currently?

Senator T.A. Le Sueur:

That was an omission on my part. I believe that the health service does, in fact, form part of this loop and part of the information that will be used in the ultimate preparation of these figures will come from the Health Department.

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

When it comes to employment, Sir, businesses in Jersey have always been encouraged to give priority to local applicants. How does the Deputy Chief Minister square this with future legislation that would make it illegal - punishable by a fine of up to £10,000 - to discriminate against anyone on the grounds of race or ethnic origin?

Senator T.A. Le Sueur:

I think, Sir, that will require discussion at the time and a proposal put forward. I think one has to be realistic in terms of what one describes as discrimination and it may well be that in looking at employment legislation we will have to balance conflicting requirements there. I can understand the sensitivities but equally I am sure we want to give priority wherever possible to local employment. That, I think, is better done not through a discrimination process but by raising the standards of education available to local people so they are able to take up the jobs which otherwise might need to be filled by immigrant labour.

4.10 Deputy J.A. Martin:

I never got my last supplementary on the Corporate Management Board, so I will ask here. As it has been made clear it is not the tail wagging the dog; as the Deputy Chief Minister said earlier, do we want to discuss the minutiae and how things are in policy working? What I would like to ask is; can he assure the House that the Corporate Management Board at least print an agenda so

we can decide, and the Ministers can decide, whether they want to look at any particular item that is discussed by this Board fortnightly, and it is every Chief Executive of every Ministry? Can he confirm that? As the Deputy Chief Minister he has the power to direct the Executive Officer to do this.

Senator T.A. Le Sueur:

I think it may well be that in future we should produce copies of the agenda. I need to discuss that, I think, with the Privileges and Procedures Committee to see how that could be done in practice. But the Deputy talks about minutiae policy: can I point out the Corporate Management Board do not make policy; the States makes policy and the Council of Ministers implements that policy. The Management Board simply ensure that that policy is delivered through their departments. To the extent that providing agendas may be helpful to Scrutiny in identifying matters that they would like to look at, I will certainly take that one up with the Chief Executive and I believe that those agendas could, indeed, be made public.

4.11 Deputy R.G. Le Hérisier:

Given the crisis that the Minister for Housing has brought to our attention about sheltered housing; could the Deputy Chief Minister tell us what steps are in train to ensure that the impact of aging people upon residential care costs, upon sheltered housing, upon the future of social services, so that we are dealing with this problem in order that we will not face the kind of crisis that the Minister for Housing has just brought to our attention?

Senator T.A. Le Sueur:

I think what the Minister for Housing has brought to our attention is a potential crisis if we do nothing. Various departments have been doing various things over the past few years. The Employment and Social Security Committee, of which I was President many years ago, did look at it in the context of pensions The Health Minister is certainly looking at it in terms of care for the elderly and tertiary care; we are looking at it in terms of the split for nursing homes and residential homes and the impact that that will have on the income support system. So I think a lot of work has been done in different areas in terms of the additional problems caused by a greater number of elderly people. Sheltered housing is certainly one which we need to address and that is, I know, being taken up very much by the Housing Minister and the Planning Minister and, like the Housing Minister, I await the latest "Planning for Homes" document which I hope will be fully informed not just by Housing and Planning needs but by those other departments with information which can add to the completeness of that information.

4.11.1 Deputy R.G. Le Hérisier:

Supplementary, if I may? Could the Deputy Chief Minister - again we have had many platitudes uttered and many fine sentiments uttered - could he tell us whether there is indeed a concrete document analysing the figures and analysing the various economic and social implications of these figures?

Senator T.A. Le Sueur:

There may be, Sir, but I am not aware of it.

4.12 The Deputy of St. Martin:

Has the Council of Ministers given any consideration as to how the proposed new waste incinerator will be financed? And is there any substance to the story that £25 million for the incinerator may well come out of the health budget?

Senator T.A. Le Sueur:

It is wonderful how rumours can fly around and appear out of nowhere. The funding for the new waste disposal scheme was discussed in the context of the States' Business Plan in September when an indication was given of the forward capital programme. It was indicated at that time that funding for that new plant would be achieved over a period of years through the capital funding programme. Although the precise details of that disposal plant are not yet available, the funding stream has been identified, and subject to other resources not taking a high priority in future years, that will be on track.

4.12.1 The Deputy of St. Martin:

Is it possible for the Minister to confirm that it will not arise out of a £25 million reduction from the health budget?

Senator T.A. Le Sueur:

For a start, Sir, the Health Department does not have a £25 million capital vote allocated to it at the moment, as far as I am aware. But even if it did, Sir, that would not necessarily be the first port of call as far as I am concerned. It is for this House to decide the capital programme for future years. We have decided that for 2007 and we have given an indication for the years 2008 to 2011, and that is quite clear in what monies are allocated to the waste disposal treatment plant.

The Bailiff:

That completes the second question period without notice.

Senator P.F.C. Ozouf:

You indicated that there was some confusion about the embargo, Sir, and I respect the embargoes that this Assembly sets. I just wish to state quite categorically to Members that I received a letter yesterday from the Comptroller and Auditor General and I will just read one part. It says: "Dear Senator Ozouf. I have been investigating the Battle of Flowers and am publishing this report with a 12 o'clock midnight tonight embargo. Copies are being supplied to the media with an embargo until one minute past midnight. As a matter of courtesy I am enclosing your personal copy, a copy of the report which is also embargoed, et cetera. The purpose of doing so is to enable you to have some warning of the final form of the report against the possibility that members of the media might approach you." Sir, I acted on that letter and I was only aware this morning that there was another embargo of 9.30. I apologise to Members if I acted without that knowledge, but I did so with the best of intentions.