

2.2 Deputy S. Power of St. Brelade of the Minister for Economic and Development regarding the presentation by a member of the Tourism Development Fund Advisory Panel of a grant application for an organisation with which he was closely involved in a management capacity:

Would the Minister confirm whether a panel member of the Tourism Development Fund Advisory Panel presented a grant application on 28th November 2007 for an organisation he is closely involved with in a management capacity, and if so whether this was considered appropriate and when will the minutes of that meeting be signed and posted on the Tourism Development Fund section of www.jerseytourism.com website?

Senator P.F.C. Ozouf (The Minister for Economic and Development):

In 2007 an application was discussed then submitted by the Bosdet Foundation - a not for profit organisation - in respect of a creation of an adventure park. The board member is a member of the T.D.F. (Tourism Development Fund) Advisory Panel and declared the interest in papers in the department at that time. On 28th November 2007 the Panel member presented the application for the preparatory work to be carried out on the site. I am advised that the member offered to leave the room while the decision was discussed but the chairman felt that this was not necessary as the Panel were minded to approve the funding of the project. When this was brought to my attention, I took the opportunity of meeting with the Panel members in order that they could strengthen the procedures that they have in place for declarations of interest at meetings. I directed the Panel that no Panel member should take any part whatsoever in any of the discussions of the deliberations in an application that they may be part of. This instruction is clearly minuted in the T.D.F. Advisory Panel minute of 9th April which I attended. Notwithstanding this issue, I must tell Members that I have reviewed the application myself and it has my 110 per cent full support. I have total confidence in the T.D.F. Advisory Panel, I shall shortly be presenting their annual report for 2007 to Members in coming weeks and Members can see for themselves the quality of the deliberations and the decisions of the Panel. In respect of the minutes themselves, I understand from the chairman that the minutes of the meeting of 28th November 2007, and those of 9th April will be signed by the chairman of the T.D.F. Advisory Panel at their next meeting which is 6th June. In the meantime, if any Members wish to see those minutes they may attend upon the Greffe to review them.

2.2.1 Deputy S. Power:

Can I ask the Minister 2 follow up questions please? Has the Minister decided to review guidelines for Tourism Development Fund Advisory Panel members in the light of what has happened and are there specific guidelines for conflict of interest? My second question: is it normal for a Tourism Development Fund Advisory Panel meeting to have to wait 7 or 8 months, as he has just referred to, for them to be posted on the tourism website?

Senator P.F.C. Ozouf:

The guidelines, I have been very clear, the chairman at their first meeting clearly indicated to Panel members that they should uphold the highest levels of standards in relation to their meetings. Indeed, I believe the Panel did. I think that there is a disconnect perhaps between the declaration of interest that was made or not made at the meeting. But I know that the Panel member was extremely sensitive to this issue, and discussed the matter with the executive officer prior to that. There could have been no doubt that the executive officer and the other board members knew exactly what the T.D.F. Advisory Panel member action was. I have suggested that for the avoidance of any doubt it is probably better that a Panel member that may have an interest in an application, even though it is a not for profit organisation, absolutely takes no part in the determination at all. I regard that as a strengthening of the procedures and I do not think that it is necessary for me to criticise the activities. Is a strengthening of them. In respect of that... I am afraid I did not catch the second question.

The Deputy Bailiff:

The period for the minutes.

Senator P.F.C. Ozouf:

In respect of the minutes, no, the Panel meets up relatively infrequently, and it is quite normal that the minutes would be signed at a subsequent meeting. The Deputy knows the minutes because he has read the draft minutes. They were draft minutes and they will be finalised at the meeting of 6th June.

2.2.2 Deputy P.V.F. Le Claire:

Recently I offered Scrutiny an option of saving money and promoting the newsletter in a different way, in a way that would save money and have a wider circulation and a more interesting way, in my view. I offered to do this as part of my involvement and I was instructed that it would not be appropriate for me to do so. Now, where is the parallel where it is not appropriate for a States Member to offer services, whether they are in deliberation of that decision or not as adjudicated by the mechanisms of this Assembly, yet it is totally okay to spend taxpayers' money if one puts it out to a quango. Is there going to be one rule for subdivided bodies that manage public money and another for us?

Senator P.F.C. Ozouf:

May I first of all say that there have been on internet sites some dubious quality information put on from time to time: there have been some incredibly scurrilous things said about in respect of the Les Ormes decision. The Les Ormes decision is a fantastic one. It is a fantastic...

Deputy P.V.F. Le Claire:

That is not my question, Sir.

The Deputy Bailiff:

Please confine yourself to the question.

Senator P.F.C. Ozouf:

But there is imputing the reputations of some of the individuals.

The Deputy Bailiff:

No, confine yourself to the question please, Minister.

Senator P.F.C. Ozouf:

The issue is that there are, of course, the same standards and I have directed the Panel to engage in some strengthening of their standards and there is no different from any other issue. I regard the decision-making arrangements of the T.D.F. that should be exactly the same issue as whether they be the Planning Applications Panel or me sitting as a Regulations of Undertaking regulator. They should be the same, they are the same; I have full confidence in the Panel.

2.2.3 Deputy P.V.F. Le Claire:

Am I then wrongly informed that I cannot propose anything for our Panel in that regard? Is the Senator saying the rules that apply to the Tourism Development Fund and other bodies are such that it would be perfectly okay for Members of this Assembly to propose to their own Panels and Ministries opportunities to improve services even though they have a vested interest?

Senator P.F.C. Ozouf:

There must be the appearance of absolutely probity in relation to decisions, and certainly when making important decisions using taxpayers' money. I judge that it is best to direct the Panel that if there is an application at which a member... and which there are numerous other occasions where a

Panel member has declared an interest and withdrawn and not taken part. I saw an adjacent decision that the Panel made in respect of the aero club where a Panel member declared an interest. That is exactly how it should be. I have directed the Panel that where an application is made in respect of an organisation that they may be part of I would prefer them, I have directed them, that they should take no part in the application process or the determination. That puts them beyond any form of criticism, but I would issue the statement that I have full confidence in this decision and it was a great decision, and a great thing for tourism and Islanders.

2.2.4 Deputy of St. John:

I must commend the Minister for supporting such initiatives to improve the tourism product, Sir, however I wonder if he could advise the House as to how many other successful bids there were in 2007, and what the balance of the Fund currently stands at? If he cannot tell me that today, that is fine.

The Deputy Bailiff:

I am sorry, Deputy, I think that is a little unrelated to the purposes of the question which was about declarations of interest. Final question from Deputy Power.

2.2.5 Deputy S. Power:

Could I bring the Minister back to the posting of the minutes of the Tourism Development Fund Advisory Panel? Looking at the tourism website, the Tourism Development Fund Advisory Panel tends to meet 3 or 4 times a year. Assuming it is 4 times a year, that is about every 12 weeks. The Minister is now saying that the minutes of 27th November 2007 will not be posted until after the meeting of 6th June 2008. Does the Minister think that this is an appropriate amount of time to wait?

Senator P.F.C. Ozouf:

The minutes were discussed by Panel members, as I understand it, in respect of this issue of declaration of interest. They were discussed at the last meeting. I do not know whether any changes have been made, and they will be signed at the next meeting. In fact, I will ask the chairman, if it is of comfort to the Deputy, in order to sign the minutes earlier on. But he is seeking to make a point which is an administrative point about putting things on minutes, an attempt, I think, to suggest that there is something improper going on, and there is absolutely nothing at all improper going on. He knows that. He has seen the minutes and it was a great decision and I wish he would say so.

Deputy S. Power:

I am not suggesting anything improper, Sir.