

COUNCIL OF MINISTERS

(98th Meeting)

27th November 2008PART A

All members were present, with the exception of: Senator F.H. Walker, Chief Minister; Senator P.F. Routier, Minister for Social Security; and Senator F.E. Cohen, Minister for Planning and Environment, from whom apologies had been received.

Senator T.A. Le Sueur, Minister for Treasury and Resources
 Senator M.E. Vibert, Minister for Education, Sport and Culture
 Senator P.F.C. Ozouf, Minister for Economic Development
 Senator T.J. Le Main, Minister for Housing
 Senator B.E. Shenton, Minister for Health and Social Services
 Deputy G.W.J. de Faye, Minister for Transport and Technical Services
 Deputy A.D. Lewis, Minister for Home Affairs

In attendance -

Connétable K.P. Vibert, Chairman, Comité des Connétables
 Deputy A.E. Pryke, Assistant Minister for Planning and Environment
 M. Heald, Assistant Chief Executive
 J. Morris, Policy and Research Manager
 M.N. de la Haye, Greffier of the States
 I. Clarkson, Clerk to the Council of Ministers

Note: The Minutes of this meeting comprise Part A and Part B.

Waterfront
 Enterprise Board:
 review of
 corporate
 governance.
 1443/10 (26)

A7. The Council considered a report, dated 24th November 2008 and published by Mr. C. Swinson, Comptroller and Auditor General (C&AG), concerning a review of the corporate governance of the Waterfront Enterprise Board Limited (WEB), together with a covering report produced by the Policy and Research Manager.

The Council was pleased to note that the C&AG had found that the WEB was now in compliance with normal corporate governance practice. It further noted that the C&AG had recommended a thorough review of the WEB's Memorandum and Articles of Association be carried out and, in particular -

- (a) that the WEB should recruit a professional company secretary;
- (b) that the WEB should be accountable to a single Minister;
- (c) that the position of States Director (as enshrined in WEB's Memorandum of Association) should be discontinued;
- (d) that States members should not ordinarily be members of WEB's Board unless they served as representatives of the Sponsoring Minister;
- (e) that the Sponsoring Minister should be accountable to the States for oversight of WEB's activities;
- (f) that, where appropriate, the Sponsoring Minister's decisions in respect of the WEB should be recorded in the form of Ministerial Decisions;

- (g) that the Sponsoring Minister should be responsible for laying the WEB's annual report and accounts before the States formally when received.

It was reported that the Chief Executive was due to meet with the Director of Property Holdings and the Managing Director of the Waterfront Enterprise Board on 28th November 2008 to review the report and to continue discussions on a revised proposal for a body to replace the WEB.

The Council endorsed all of the C&AG's recommendations in full and determined that they should be implemented alongside the development of revised proposals for a Jersey Enterprise Board to replace the existing WEB. It further determined that the revised proposals for a Jersey Enterprise Board, together with a suitably revised Memorandum and Articles of Association, should be presented to the reconstituted Council for consideration in the early part of 2009, pending the lodging 'au Greffe' of a suitable report and proposition.

There followed a discussion concerning the existing membership of the board of the WEB. The Council noted that Deputy J.J. Huet of St. Helier's term of office as a States member was due to expire on 8th December 2008, although she would remain entitled to continue in her rôle as a States appointed director. In this regard it was agreed that Deputy Huet should be contacted and invited to formally clarify whether she was prepared to continue as a States appointed director of the WEB pending the formation of a replacement body to oversee development of the St. Helier Waterfront.

The Policy and Research Manager was authorized to take the necessary action.