

STATES OF JERSEY

OFFICIAL REPORT

MONDAY, 17th JULY 2023

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[14:30]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

The Deputy Bailiff:

1. Tribute to John Pierre Vernon Falle

I would like to pay a few words of tribute to a recently deceased Member. John Pierre Vernon Falle, known as John, recently passed away in his 96th year. He joined the family business at Falles Motor Works and by the early 1960s the company's activities included car sales, repair and fuel sales over 3 sites in Jersey. The company set up Falles Hire Cars to cater for visitors to the Island. He topped the poll in St. Saviour, returning as a Deputy in November 1963, and served 2 terms of office, leaving the Assembly in 1969. He served on the Social Security Committee, was appointed to the Sewerage Committee in 1964, and was re-elected to both boards in 1966. During his time in the States, Deputy Falle petitioned the States Assembly to improve traffic safety around St. Luke's school and Plat Douet School, including installation of pedestrian crossings. He retired from the States in 1969. During the 1970s and 1980s, Falles Hire Cars became the largest car hire business in the Channel Islands, as Members will I am sure recall, running a fleet of up to 2,000 cars in the height of the season and setting up branches, including at Southampton Airport, to cope with demand. With the change in holiday trends the business began to decline and the Falles Hire Car fleet was wound down and sold in 2003. Mr. Falle passed away at home and our thoughts are with his wife, their children and their 10 grandchildren. I invite Members to stand and observe a short silence. **[Silence]** May he rest in peace.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

2. Resignation of the Connétable of St. Clement from the Economic and International Affairs Scrutiny Panel

The Deputy Bailiff:

I have received correspondence from the Connétable of St. Clement advising of his resignation from the Economic and International Affairs Scrutiny Panel.

QUESTIONS

3. Written Questions

3.1 Deputy M.B. Andrews of St. Helier north of the Minister for Economic Development, Tourism, Sport and Culture regarding financial funding to industry sectors affected by rising interest rates and inflation (WQ.304/2023)

Question

Will the Minister provide details of the financial funding the Department for the Economy has given, if any, during 2023 to support industry sectors affected by rising interest rates and double-digit inflation?

Answer

Businesses in all sectors are able to access business support and advice through Jersey Business Ltd, which is funded by Government. In 2023, Jersey Business' core grant was increased to £1.56m. Services provided to businesses include industry support for retail and hospitality alongside an all-sector focus on business planning, business resilience in financial matters, business and productivity improvement and support in the delivery of key strategy actions in areas such as rural, marine and export.

The Department for the Economy has also significantly increased the financial support available for both the rural and marine sectors during 2023.

The Rural Support Scheme has a total budget for 2023 of £3,290,000 and has already provided £2,099,098.88 (across 27 industry professionals) with a further £168,086.75 provided via the Rural Initiative Scheme.

The new Marine Support scheme launched in June and will be providing £300,000 this year in support to businesses operating within the marine economy and, in particular, our Island’s fishing industry.

3.2 Deputy R.J. Ward of St. Helier Central of the Minister for Economic development, Tourism, Sport and Culture regarding the impact of the Mini-Budget (WQ.305/2023)

Question

Will the Minister advise what analysis, if any, has been undertaken of the impact of the Mini-Budget on –

- (a) income inequality levels;
- (b) locally-driven inflation pressures;
- (c) the number of people living at relative low-income levels after rents are removed from being taken into account; and
- (d) the number of pensioners on relative low income?

Answer

The Mini Budget included an extensive package of measures including above-inflation increases in income tax thresholds and allowances, a temporary increase in cold weather payments, and increasing Income Support components to reflect the September 2022 RPI figure.

Income inequality and relative low income can only be measured through a large-scale survey such as the Living Costs and Household Income Survey, which is undertaken in Jersey every 4-5 years. The most recent survey collected almost all of its data before the Mini-Budget measures were put in place, so it is not possible to assess the impact of the Mini-Budget on income inequality or low-incomes. The focus of the Mini-Budget was to support households against high inflation and immediate cost of living pressures, through a broad range of measures. As such the policies would not be seen as inflationary.

The Government has undertaken analysis to understand how much money the Mini Budget measures put back into Islanders’ pockets, across a range of representative households¹. This shows what the Mini-Budget measures mean for households’ weekly disposable incomes after housing costs, and is summarised in the table below.

Household	Support from measures to disposable incomes after housing costs, 2022 £ pw
Couple with full old-age pension in social housing	+£24 per week

¹ This analysis simulated the ‘baseline’ disposable income after housing costs of different representative households, accounting for labour and pension income, benefits received and indicative housing costs. The impact of the Mini-Budget on each of these components was then estimated, and the resulting disposable income after housing costs was compared against the baseline.

Single adult working full time at the minimum wage, privately renting	+£53 per week
Single parent with 1 child below school-leaving age working full-time at the minimum wage in social housing	+£32 per week
Married couple with 2 children both working full-time at the minimum wage in social housing	+£38 per week
Married couple with 2 children at median income in social housing	+£15 per week
Married couple with 2 children, £100,000 gross income with a mortgage	+£18 per week
Couple with £25,000 pension income, owner-occupiers	+£5 per week
Couple with median income from pension, owner-occupier	+£11 per week

All households modelled have been made better off by the Mini-Budget, with increases to Income Support and cold weather payments particularly helping lower-income households, and changes to income tax thresholds and allowances helping middle-income households.

Furthermore, this analysis excludes further measures announced following the Mini-Budget, including -

- Call for a rent freeze
- Hot meals for all primary school children
- £12m investment package for Pharmacies – including enabling prescriptions to cover longer than 30 days
- £20 reduction in cost of a GP appointment

These measures will benefit many households separately to the analysis above, which estimates the direct support provided to households. Increases to income tax thresholds and Income Support components will continue to provide support over the rest of 2023.

3.3 Deputy M.R. Scott of St Brelade of the Minister for Social Security regarding making the minimum wage sector specific (WQ.306/2023)

Question

Given the potential impact that increasing the minimum wage paid by larger employers operating on low margins, and by employers in the agricultural industry, could have on the cost of living for Islanders, will the Minister advise whether consideration has been given (or will be given) to legislative changes to make the minimum wage sector specific; and, if not, why not?

Answer

Article 16 of the Employment Law provides that employees must be paid at least the minimum wage. The Law prohibits the payment of different rates of minimum wage to different sectors of employment. The Law also prohibits the application of different “offset” rates – amounts that may

be deducted from wages for accommodation and meals – in different sectors of employment. The use of offsets is tied directly in the Employment Law to the provisions relating to the minimum wage.

In its 2022 report on the level of the minimum wage in Jersey, the Employment Forum commented on the fact that the number of employees in receipt of the minimum wage in the agriculture sector had fallen significantly in the previous six years. Based on surveys conducted by Statistics Jersey as part of the periodic reports on the Index of Average Earnings, in 2016 minimum wage jobs in the agriculture and fishing sector accounted for 38% of the total headcount in that sector. By 2019, minimum wage jobs accounted for 24% of the total headcount in the sector. At June 2022 that figure stood at 14%.

The Forum's review of the minimum wage for 2023/24 is imminent and Statistics Jersey will publish its annual report on the Average Earnings Index in August. These will give up to date assessments of the current position in relation to the extent of the use of the minimum wage in Jersey.

Neither I nor the Minister for Social Security consider it appropriate or desirable for different, sector-specific minimum wage rates to be introduced. A single minimum wage rate and offset rates are important; they are clear indicators to both employees and employers. Any attempt to introduce variations would have significant practical implications for employers and enforcement implications in ensuring that the correct wages are being paid to employees and the correct amounts for offsets are being deducted by employers. Such action would also suggest that certain industries, and their employees, are considered as less important than others. Neither I nor the Minister for Social Security have any plans to alter the present legislative arrangements.

3.4 Deputy L.V Feltham of St Helier Central of the Minister for Infrastructure regarding public play areas and parks (WQ.307/2023)

Question

In relation to public play areas and parks, will the Minister advise –

- (a) what minimum safety standards are in place for children's play areas;
- (b) how adherence to these standards is monitored and enforced;
- (c) how, if at all, his department provides support to the Parishes and to other providers of such facilities to meet safety standards;
- (d) what agreements, if any, are in place with contractors to ensure that safety standards are met; and
- (e) what maintenance plans, if any, are in place to ensure play areas are useable and safe?

Answer

- (a) The Department for Infrastructure works to the same standards as the UK and Europe, namely British and European Standard BS/EN1176 for Children's Play Equipment and BS/EN1177 for Safety Play Surfacing.
- (b) The standard requires operators to undertake at least weekly visual checks, with a requirement for full play equipment inspections on a minimum of a quarterly basis, with external full examination on an annual basis. Where there is high use of the play equipment these inspections increase to daily and monthly.

In addition to ensuring play equipment and surfacing is manufactured and installed in accordance with the above standards, we have trained staff that conduct visual checks to ensure that play equipment in all our parks is safe. Inspections are currently recorded manually and any repairs required are managed through our maintenance administration systems. This is due to change imminently to a digital system, providing greater oversight of the condition of the play areas.

Additionally, quarterly checks are carried out by our own staff who are qualified play equipment inspectors and verified by an annual external inspection by “the Play Inspection Company” which is based in Poole in Dorset.

- (c) Our current trained play inspectors have been available for advice to the Parishes and other States departments, and a small number of inspections have been undertaken in-house on behalf of other departments. School play equipment is managed by Jersey Property Holdings who contract out quarterly and annual checks to third party play inspectors with the responsibility for daily and weekly checks remaining with the schools.
- (d) The main contractor agreement is in relation to annual inspections as detailed above.
- (e) Maintenance of play equipment is driven by the above inspection regime with any failing equipment being replaced immediately. A rolling programme of play equipment renewal is being developed and a funding bid for this programme is currently under consideration for inclusion in the Government Plan 2024-2027.

3.5 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding headcounts (WQ.308/2023)

Question

Will the Chair provide the current headcount for each Government department?

Answer

As at 30 June 2023, the headcount for each Government department is below:

Department	Actual Headcount	FTE		
Cabinet Office	640	614.98		
(Chief Operating Office)			(374)	(365.62)
(Strategic Policy, Planning and Performance)			(194)	(180.58)
(Office of the Chief Executive)			(72)	(68.78)
Children, Young People, Edu & Skills	2634	2174.09		
Customer and Local Services	294	275.52		
Department for the Economy	48	46.67		
Department of External Relations	15	14.5		
Health and Community Services	2433	2272.98		
Infrastructure and Environment	662	639.8		
Justice and Home Affairs	766	721.76		
Non-executives and legislature	287	268.19		
Treasury and Exchequer	336	328.16		
TOTAL	8115	7,356.65		

Employees are counted once per Department they work in. Counting each employee once, the headcount is 8090.

3.6 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding turnover of staff in 2022 (WQ.309/2023)

Question

Will the Chair state the turnover of staff in each Ministerial department in 2022 as a percentage?

Answer

Please find below table of Turnover Percentage by Ministerial Department. The calculation is using the average headcount for 2022, take from an extract of the 2022 Annual Report and Accounts to which a link is provided below. The total number of leavers for the year is then divided by the average headcount to get the turnover percentage.

Department	Average Number of Employees in 2022	Total Number of Leavers in 2022	Turnover %
Chief Operating Office	307	30	9.77%
Children, Young People, Education and Skills	2426	158	6.51%
Customer and Local Services	334	46	13.77%
Department for the Economy	39	8	20.51%
Department of External Relations	13	3	23.08%
Health and Community Services	2416	182	7.53%
Infrastructure, Housing and Environment	608	67	11.02%
Justice and Home Affairs	728	67	9.20%
Non-executives and Legislature	214	29	13.55%
Office of the Chief Executive	116	11	9.48%
Strategic Policy, Planning and Performance	181	43	23.76%
Treasury & Exchequer	341	33	9.68%
Total	7723	677	8.77%

[States of Jersey Group 2022 Annual Report and Accounts \(gov.je\)](#) (page 185)

3.7 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding the current number of vacancies (WQ.310/2023)

Question

Further to the response to [Written Question 62/2023](#), will the Chair state the current number of vacancies in each Government department?

Answer

The current number of vacancies are as follows:

Department	Vacancies Identified
Cabinet Office	62
Customer & Local Services	12*
Department for the Economy	4

External Relations	1
Children, Young People, Education and Skills	137*
Infrastructure, Housing and Environment	140*
Health and Community Services	480
Justice and Home Affairs	94*
Treasury and Exchequer	15*
Non-Executive and Legislative	4*
TOTAL VACANCIES IDENTIFIED	949

Methodology

- The definition of a vacancy varies across functions, the definition used by the function has been used.
- The Financial and Actual data has been as at June 2023.
- Not all positions will be fully funded or may be seasonal.
- In some cases, the approach does not take into account where a budget vacancy exists, but a decision has been made to delay or defer going to market.
- Impacts due to timing differences of starters and leavers will occur.
- A number of vacancies may currently be covered by temps, zero hours, contractor etc.
- Departments indicated with an asterisk monitor vacancy through an alternative method, awaiting a completion of the establishment build within Connect People system.

3.8 Deputy S.G. Luce of Grouville and St. Martin of the Minister for the Environment regarding the average monthly sea temperature recorded in local waters (WQ.311/2023)

Question

Further to the response to [Written Question 293/2023](#), will the Minister inform the Assembly of the average monthly sea temperature recorded in local waters for every individual month over the last 10 years, thereby providing a total of 120 results?

Answer

Monthly mean sea temperature for Jersey

Sea Temperature (°C)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2013	9.1	7.9	7.2	8.3	11.1	13.6	16.3	18.1	17.7	16.5	13.3	10.6
2014	9.8	8.8	9.5	11.1	13.0	15.4	17.7	18.4	18.3	16.8	14.1	11.4
2015	9.4	7.8	8.5	10.5	12.6	14.7	16.9	17.8	17.1	15.2	13.8	11.9
2016	9.9	9.0	8.6	10.1	12.3	14.6	16.7	18.2	18.6	15.9	13.0	10.8
2017	9.1	8.5	9.3	11.4	13.1	15.7	17.6	18.2	17.2	16.1	13.4	10.2
2018	9.3	8.0	7.3	9.5	12.3	14.8	17.4	18.5	18.1	16.1	12.9	11.0
2019	9.5	8.5	9.6	10.8	12.9	15.0	17.5	18.4	17.8	16.1	12.7	10.5

2020	9.6	9.1	9.3	10.9	13.1	15.3	17.2	18.7	18.5	15.3	13.4	11.0
2021	8.9	8.1	8.6	10.1	12.1	14.8	16.7	17.8	18.1	16.4	13.7	10.5
2022	9.5	9.2	9.6	11.0	13.6	16.0	18.0	19.4	18.9	17.0	14.3	10.8
2023	9.7	9.0	9.1	10.9	13.1							

3.9 Deputy S.Y. Mézec of St. Helier South of the Minister for Housing and Communities regarding the Northern Quarter housing development (WQ.312/2023)

Question

In respect of the Northern Quarter housing development, will the Minister state how many of the homes which are planned to be built there meet the following descriptions –

- (a) one bedroom, below the current minimum space standards for a single-occupancy one-bedroom flat (i.e. below 34.5 square metres);
- (b) one bedroom, between the current minimum space standards for a single-occupancy one-bedroom flat and a double-occupancy one-bedroom flat (i.e. 34.5 square metres to 51 square metres);
- (c) one bedroom, above the current minimum space standards for a double-occupancy one-bedroom flat (i.e. above 51 square metres);
- (d) two bedroom, below the current minimum space standards for a triple-occupancy two-bedroom flat (i.e. below 62 square metres);
- (e) two bedroom, between the current minimum space standards for a triple-occupancy two-bedroom flat and a quadruple occupancy two-bedroom flat (i.e. 62 square metres to 76 square metres);
- (f) two bedroom, above the current minimum space standards for quadruple-occupancy two bedroom flat (i.e. 76 square metres); and
- (g) three bedroom, below the current minimum space standards for a quadruple-occupancy three-bedroom flat (i.e. 76 square metres)?

Answer

Andium Homes acquired 169 of the 195 homes to be developed on the site by the developer, following approval of the scheme by Planning. The scheme was designed by the developer, who is retaining the remaining homes.

Therefore, the Minister for Housing and Communities can only comment on the homes being acquired by Andium and, in that respect, the specific numbers relating to the questions above are:

- (a) None
- (b) 29
- (c) 93
- (d) None
- (e) 22
- (f) 17
- (g) None*

*There are 8 No. 3 beds all above the minimum standard 76m²

3.10 Deputy R.J. Ward of St. Helier Central of the Minister for Children and Education regarding expenditure on agency teaching staff from UK agencies (WQ.313/2023)

Question

Further to the response to [Written Question 18/2023](#), will the Minister state the total expenditure on agency teaching staff from UK agencies from 1st January 2023 to date, broken down into the following categories –

- (a) travel to and from Jersey for staff;
- (b) accommodation;
- (c) daily rate of pay to staff; and
- (d) daily rate paid to agency?

Answer

There were at various times between five and eleven agency teachers employed for teaching vacancies between January and July 2023. In total we have worked with 16 teachers, some for only 2-3 weeks, others for two full terms. Five were in primary schools, the remainder in secondary placements, covering for either parental leave or unfilled fixed term vacancies.

The figures below are for expenditure on agency staff employed directly through CYPES central resourcing and does not include any similar expenditure made by schools directly with agencies.

- (a) £4,857
- (b) £82,910
- (c) daily rate of pay to staff; this is a private arrangement between the teacher and their agency
- (d) £297 average (range £273 - £380 per day depending on agency rates, experience and qualifications levels of candidates, and level of subject shortage.)

Total spend on staff £226,063 (paid from school supply budgets, invoiced to each relevant school directly)

Grand Total £313,830.

It continues to be the Minister's preference to employ substantive permanent teachers wherever possible. Overseas agency teachers are only used for vacancies that have been unsuccessfully advertised on and off island and, for a variety of reasons, it has not been possible to make an appropriate substantive appointment.

Comparison of costs

	Teacher salary - gross	Additional govt. On-costs (social security 6.5%; teacher pension employer cont. 10.8%)	Total cost to school /govt
Full time experienced main-scale (TCH11) per year	£53,307	£9,525	£62,832
Experienced local supply (TCH10) x 190 days	£42,940 (£226 per day)	£2,660 (£14 per day)	£45,600

English supply costs below. Teachers are taxed by the UK tax authority and paid on the assumption that they are domiciled in the UK. They are not licensed.

As with Jersey supply teachers, they are only paid for the days they work, so for a maximum of 190 days per year.

Full time agency (avg.)	£56,430 (£297 per day paid in UK salary)	£15,600 (accommodation)	£72,030 (12.77% more than Full Time)
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3.11 Deputy R.J. Ward of St Helier Central of the Chair of the Comité Des Connétables regarding dog licences (WQ.314/2023)

Question

In relation to dog licences, will the Chair advise –

- the total sum raised across all the Parishes from dog licences, together with a breakdown of the numbers for each Parish, for each of the last three years; and
- the process that determines how this sum is used and how it has been used over this period?

Answer

(a) The Dogs (Jersey) Law 1961 (“the 1961 Law”) requires a person keeping a dog to have a licence in respect of that dog. However, as set out in Article 3 a licence is not required for -

- a dog under the age of 6 months;
- a dog kept and used solely by a blind person for his or her guidance;
- a dog, kept and used by a deaf person, which has been trained by an organization which exists to train dogs for that purpose, to assist that person to overcome disabilities caused by his or her deafness.

The fee for a licence is £10 per dog (applicable from 1 March 2020). The licence remains in force until 31 January and licences renewed after that date incur a double fee of £20.

The income by Parish for the financial years ended 30 April 2021, 2022 and 2023 is set out in the table below. This income is as recorded in the Parish’s audited annual accounts which are available on the Parish’s website (audit of some 2023 accounts still to be completed).

PARISH	2023 dog licence income	Notes	2022 dog licence income	2021 dog licence income
St Brelade	£15,371	<i>Net of direct costs</i>	£16,045	£16,670
St Clement	£11,863		£12,602	£12,111
Grouville	£7,470	<i>Unaudited accounts</i>	£7,142	£6,442
St Helier	£14,383	<i>Unaudited accounts</i>	£16,850	£15,550
St John	£4,705	<i>included in ‘sundry income’</i>	£4,500	£5,465
St Lawrence	£5,890		£6,490	£5,905
St Martin	£6,679	<i>Net figure in accounts</i>	£6,215	£6,308

St Mary	£3,161		£3,221	£3,070
St Ouen	£6,560	<i>Unaudited accounts</i>	£6,610	£6,345
St Peter	£7,670		£6,650	£7,590
St Saviour	£13,930		£14,062	£14,210
Trinity	£5,930		£4,920	£4,955
Total	£103,612.00		£105,307.00	£104,621.00

Note: a snapshot of the number of dog licences is published on the Parishes websites each spring.

(b) The fee for a dog licence is credited to the General Account of the Parish in which it is received in accordance with Article 4(5) of the 1961 Law. The fees are therefore applied to the general expenses of the Parish and not to specific uses.

The Parish Assembly, when approving the budget each year, determines how funds in the General Account will be used. All expenditure from the General Account is detailed in the Parish's annual accounts which are adopted by the Parish Assembly and available on the Parish website.

The expenditure incurred by a Parish will include costs which relate to the 1961 Law such as:

- the administration costs of dog licences which includes staff time and materials (including system costs) to issue a dog licence and to maintain a register of licences in accordance with Article 4 of the 1961 Law; and
- dealing with stray dogs – the Parish arranges the contract for the collection and housing of stray dogs whilst the dog owner is responsible for paying all expenses incurred by reason of the detention of a stray dog which has been seized (Article 7 of the 1961 Law).

3.12 Deputy R.J. Ward of St. Helier Central of the Chair of the States Employment Board regarding pay talks with teaching unions (WQ.315/2023)

Question

Will the Chair state –

- whether she or any members of the States Employment Board were present at talks with teaching unions on 7th July 2023;
- if so, what additional offer, if any, was made during these talks; and
- whether officers involved in such talks are given the authority to adjust offers made by the Board or whether those officers deliver the Board's final offer in any such pay talks without adjustment?

Answer

All members of the States Employment Board attended a meeting with the NAHT, NASUWT and NEU with both regional and local branch representatives on the 6th July 2023 (rearranged from 7th July due to diary commitments).

The meeting was not a pay negotiation meeting and therefore no offers were tabled.

It was an opportunity for the teachers' and school leaders' pay groups to meet with the SEB, as we do quarterly, to discuss current issues. This included recruitment and retention in education, and we agreed to establish a joint working group to examine the issues raised by the unions.

Officers are mandated by the SEB to enter into negotiations within parameters agreed by the SEB. This follows advice received from the Treasury and Exchequer in cash limits, and advice from People and Corporate Services on terms and conditions and market conditions. The mandate is then set for negotiations. Should the negotiations reach a stage where discussions exceed the mandate, the officers must return to the SEB for a decision on the mandate.

The SEB cannot exceed the limits within the Government Plan, agreed by the States Assembly.

3.13 Deputy G.P. Southern of St. Helier Central of the Chief Minister regarding poverty levels and housing costs (WQ.316/2023)

Question

Further to the response to [Written Question 294/2023](#), will the Chief Minister –

- (a) explain whether it is her assessment (given the rent levels in Jersey) that the most accurate picture of poverty levels amongst children in Jersey is provided by consideration of income after housing costs, rather than before such costs;
- (b) in order to allow for further international comparisons, agree to research and publish data from a range of countries on relative low income in those jurisdictions after housing costs; and
- (c) explain the reasons for the ‘narrowing of the gap’ between the proportion of children in relative low income in Jersey and the same proportion recorded within the EU?

Answer

- (a) Statistics Jersey publish statistics on relative low income both before and after housing costs. Relative low income is also known as the at-risk-of-poverty threshold and is set at 60% of the jurisdictions equivalised income level.

As detailed in Statistics Jersey’s 30 June 2023 Income Distribution Report [R Income Distribution Report 2021 20230630 SJ.pdf \(gov.je\)](#), it should be noted that this provides a relative measure of low income, within the context of a particular jurisdiction, and relative to all household types, rather than an absolute measure of low income for a particular household. In addition, this measure does not take into account spending patterns, which are likely to vary between household types.

This measure of relative low income does not therefore indicate which households have an income level below that which is necessary to maintain a certain standard of living for that household type.

Both before and after housing costs statistics provide important perspectives, and I would not regard one as being more “accurate” than the other. However, the after housing costs figures do more completely capture the level of disposable income available to a household and as such are considered the headline measures in the reports by Statistics Jersey. The Chief Statistician would be happy to provide a detailed briefing on these statistics.

- (b) As detailed in the most recently published income distribution report by Statistics Jersey: “...net income after housings costs is more difficult to measure than other types of income, so when making international comparisons it is less widely available.”

Ultimately it is down to each jurisdiction as to what statistics they produce and make available. Comparisons on this basis are made available by Statistics Jersey where they are available.

- (c) As detailed in the most recently published report by Statistics Jersey, the proportion of children in relative low income (before housing costs) for Jersey in 2021/2022 had increased slightly from 13% in 2014/2015 to 14% in 2021/2022. In comparison many European countries had reported a reduction in the proportion of children in relative low income, which moved Jersey closer to the EU average. Jersey remains below the EU average proportion of 16.5% in 2021/2022.

Deputy S.G. Luce of Grouville and St. Martin:

I did not know when to raise this issue and I did not want to do it during roll call because the States is not constituted, but I would just like to say how disappointed I am that the Chief Minister is not here today with us. I do not know quite when I get the opportunity to say that.

The Deputy Bailiff:

Have you just said it or do you want to say more? This is probably your chance.

Deputy S.G. Luce:

I do not know, Sir. I just wanted to say that I was surprised. I cannot think this is a matter of security or an emergency, and I am informed that the Chief Minister did not know about this until after the last sitting, which is less than a fortnight ago. I just wonder if it is States business how important it can be.

[14:45]

The Deputy Bailiff:

I should remind Members that in relation to declarations of States business the Assembly has no discretion. They are simply recorded by the Greffier as required under Standing Order 53(2).

Deputy S.M. Ahier of St. Helier North:

May I raise the défaut on Deputy Farnham?

The Deputy Bailiff:

Are Members content the défaut should be raised? Yes, the défaut is raised on Deputy Farnham.

4. Oral Questions

4.1 Deputy M.B. Andrews of St. Helier North of the Minister for Economic Development, Tourism, Sport and Culture regarding sectors affected by increasing costs (OQ.144/2023)

Will the Minister advise which sectors have been most affected by increasing costs during his time in office and detail what support, if any, he or his department have provided to these sectors?

Deputy A. Curtis of St. Clement (Assistant Minister for Economic Development, Tourism, Sport and Culture - rapporteur):

As the Minister is not in the Assembly I will answer this. Over the last 12 months the cost of several key inputs to businesses, including labour and materials, have increased rapidly. The effect this has had on business profitability has varied both within sectors and across them. The most recent Business Tendency Survey published in April this year reveals that in terms of profitability the outlook on hotels, restaurants and bars, and on hotel and restaurant sectors, was largely negative.

The outlook among construction and other business sectors are slightly less negative and the finance sector was moderately positive, likely reflecting higher interest rates. Businesses in all sectors are able to access support and advice through Jersey Business, which is funded by Government and which provides services such as resilience planning and expert one-to-one support and advice. The Department of the Economy has provided support to various sectors of the economy. It has increased the amount of financial funding to rural and marine sectors and it is currently working on a visitor economy strategy to address the challenges facing that sector.

4.1.1 Deputy M.B. Andrews:

Could the Minister confirm how much financial support has been granted to Jersey businesses across all sectors.

Deputy A. Curtis:

Yes, the core grant for Jersey Business in 2023 was increased £1.56 million.

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

Could the Assistant Minister explain how closing the customer facing arm of Visit Jersey would possibly have improved the ability of hospitality and tourism to cope with the current conditions? Would it not be better for the department to be considering reopening a tourism office so that we can provide a service to those tourists we do have and encourage them to get more out of their stay in Jersey?

Deputy A. Curtis:

It is my understanding that the tourism arm in the bus station was provided by Visit Jersey which, as an arm's length organisation, is empowered to make its own decisions. That being said, the Government is working on a new visitor economy strategy and looking at the future ways to engage with tourists and Islanders both in person and through other social means is being explored.

4.1.3 The Connétable of St. Helier:

Could the Minister explain what happened to the previous tourism strategy that was, I understand, prepared previously; where that has gone? Are we going to see it and when are we going to see the new version?

Deputy A. Curtis:

I am afraid I do not have the specifics as to when the former tourism strategy came out. This is a visitor economy strategy and I believe we are expecting to see progress throughout 2023, as aligned in the Ministerial delivery plan.

4.1.4 Connétable K.C. Lewis of St. Saviour:

The Assistant Minister is no doubt aware of rising costs across the board in the Island. People can indeed cut back on luxuries. One luxury people cannot cut back on is food. Is the Assistant Minister's department working on a plan where they can keep costs as low as possible and prevent as many people having to go to foodbanks.

Deputy A. Curtis:

It has not been, as far as I am aware, a policy to look at over-regulation and control within the food supply chain. That said, the department in the work of the rural economy team is incredibly focused on thinking about food security and how we can better provide food for ourselves and, as such, the rural initiative scheme has had an increasing focus on funding small holders who we hope to see will become a greater part of the food supply chain in Jersey.

4.1.5 Deputy R.J. Ward of St. Helier Central:

In the sectors he referred to as being a negative or slightly negative outlook, has the availability of staff been a factor in the increased costs, i.e. having to pay more for the staff that are available and simply not run full-time provision in some of the industries. Hospitality springs to mind obviously.

Deputy A. Curtis:

Yes, I believe we are hearing from many areas across the economy that the availability of staff is creating inflationary pressures on providing the core service of offerings.

4.1.6 Deputy S.G. Luce:

In his answer the Minister quoted a figure that has been given to Jersey Business but it does not answer the actual question, which is to state how much money his department has provided to the sectors that have suffered the most. Could the Minister answer that question please?

Deputy A. Curtis:

As I mentioned in my initial answer, the pressures to industry are faced with vary both within industry and across industry. We provide financial support within the rural economy and the marine economy and, as I mentioned, in my original answer, support for industry is supported through our arm's length organisations and largely non-financial.

4.1.7 Deputy S.G. Luce:

Does that mean that the Assistant Minister has not provided any financial aid to these sectors?

Deputy A. Curtis:

As far as I am aware, we provide the services of Jersey Business and Digital Jersey, for example. We are not actively funding sectors that the Deputy might be thinking about, such as construction. But we are, as an economics unit, currently looking into that to work out how we can better be prepared to support the larger economy.

4.1.8 Connétable M.K. Jackson of St. Brelade:

Following on from the question of the Connétable of St. Helier, would the Assistant Minister agree that a tourism office is absolutely essential given the age demographic of the sort of visitors that we are dealing with at this point? It is all very well suggesting as part of the next policy but would he agree that a temporary solution would be utilising a pop-up shop, shall we say, in the middle of St. Helier?

Deputy A. Curtis:

I think the challenge around the tourism office provided was not one just of the location but it was prioritisation of staffing. Personally, I do agree that having a presence within town for our visitor economy is important and I do believe things are underway to look at how we can better provide a cohesive and joined-up experience to visitors on Island where they can understand the offering from a tourism function. So I do support the principle.

4.1.9 The Connétable of St. Brelade:

Would the Assistant Minister agree that not all visitors are online and need to be able to talk to someone visiting?

Deputy A. Curtis:

I would agree with that statement.

4.1.10 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter:

While the Assistant Minister will know that high inflation is often due to external factors and therefore not totally under our control but there are some ways we can impact upon it. The previous anti-inflation strategy group produced a report with 6 action points on it. Does he know if any of those action points, which were aimed at local ways that we could locally reduce inflation, have been implemented?

Deputy A. Curtis:

I would apologise but no, I would not be able to answer that specific question. But I am sure we would be happy to circulate that when we have the nearest availability.

4.1.11 Deputy A. Howell of St. John, St. Lawrence and Trinity:

I think Deputy Tadier and I have previously suggested that perhaps the tourist office could be amalgamated with the Jersey Museum. I just wondered if the Deputy Minister would be kind enough to convey that feeling to whoever he needs to.

Deputy A. Curtis:

Yes, I will absolutely do that. I think there are many innovative ways of getting on the ground in person contact for tourists and locals looking to understand the offering on Jersey alike, and I will convey that.

4.1.12 Deputy M.B. Andrews:

Can the Minister confirm whether the Department for the Economy have granted funds to certain businesses who are no longer operating?

Deputy A. Curtis:

I cannot confirm it, at this point in time, to that statement.

4.2. Deputy C.D. Curtis of St. Helier Central of the Minister for Social Security regarding consideration of children in income support repayment plans (OQ.156/2023)

When a determining officer allocates a repayment plan to a Jersey parent of young children and all payments of income support therefore stop with immediate effect, what consideration is given to the circumstances of the children and the impact on them in such cases?

Deputy E. Millar of St. John, St. Lawrence and Trinity (The Minister for Social Security):

I am disappointed by the implication in this question that children can be placed at risk as a result of a repayment plan under the income support system. The further implication that a repayment plan automatically stops payment of income support is factually incorrect and is therefore misleading, although I am sure that was not the Deputy's intention. The question suggests that the entire value of a parent's income support benefit is exhausted by making repayments. In reality, the only situation in which this might occur is if the household has other significant income and the income support claim is topping up that income with a low weekly amount. In that example, the household will continue to have its own income outside any income support payment. A recipient of income support may agree to forego the whole of a small weekly top-up in order to repay an overpayment of benefit that was previously received. In that event, the impact on any children in a household would likely be minimal as the reduction in total income would be small. Officers working in Customer and Local Services will always consider the impact of repayment plans on the welfare of children. Income support repayments are set by taking into account individual household circumstances and the ability to repay. That is the policy. I am aware that the Deputy has been in contact with the department in respect of a specific income support case with very different characteristics. I would urge Members to contact me or Deputy Ferey directly in respect of individual cases where they have concerns.

Inevitably the details of individual cases cannot be discussed in public. I can reassure Members that the safeguarding of children is always given a high priority in any income support decisions.

4.2.1 Deputy C.D. Curtis:

I can assure Members that there are cases where income support is stopped completely. Can the Minister detail the support measures and consideration given to families with young children, which has just been alluded to? Can the Minister detail these please?

Deputy E. Millar:

I disagree with the Deputy. Income support does not stop because of a repayment plan. There are many circumstances that come into play when income support ceases and that can be any number of reasons, but it is not just because of a repayment plan. Households with children will continue to receive income support where they need it. Child benefits are taken into ... allowances are made for every child in a household and single parents also receive an extra single parent allowance. Children are supported through the income support system.

4.2.2 Deputy S.Y. Mézec of St. Helier South:

I am delighted to know that cases I have seen in the past were merely a figment of my imagination. Could I ask the Minister if, at any point, when repayment plans are put to income support claimants that any calculation is done to work out whether the imposition of that repayment plan would put that household with children into what in Jersey would be considered relative low income or relative poverty?

Deputy E. Millar:

Repayment plans are negotiated with the family on a case-by-case basis. The interests of children will always be given high priority.

Deputy S.Y. Mézec:

That was not anything close to approaching an answer to my question. Could I have an answer to my question before posing a supplementary?

Deputy E. Millar:

Could I ask the Deputy to repeat his question?

Deputy S.Y. Mézec:

My question was very specific about whether when those repayments plans are put together, the question of whether that plan would put a household into relative poverty is specifically considered?

[15:00]

Deputy E. Millar:

The income and ability of a family to continue to meet their expenses will always be part of that discussion. I do not know whether relative poverty, as the Deputy suggests, is taken into account. As I say, plans are negotiated and discussed with the adults of the household and it is for them to agree with the department a plan that they feel meets their needs.

4.2.3 Deputy S.Y. Mézec:

It is not much of a negotiation when one side does not have a real choice in the matter. Could the Minister confirm that now that I have raised the issue of repayment plans pushing people into relative poverty, that she will give that matter its due consideration and investigate with her officers whether this can be considered a factor that is compulsory to consider, to ensure that because of issues in the department that people are not pushed into relative poverty while paying back income support that may have perfectly accidentally been overpaid beforehand?

Deputy E. Millar:

I will ask the question of my department but whether or not we adopt it as a policy. Repayments can arise through a number of reasons and it is appropriate that overpayments are repaid because that is fair to all other benefit recipients who do not receive overpayments and also to the taxpayer who funds their income support system.

4.2.4 Deputy G.P. Southern of St. Helier Central:

Is it not the case, will the Minister state, that the minimum claim for a repayment plan on an overpayment is a minimum of £3 per day and there is no upper limit on the amount that can be claimed? It could be £40 a week out of your benefit, and I would like the Minister's opinion.

Deputy E. Millar:

The guidelines specify the sum of £3 a day but those are guidelines only and every repayment plan is considered taking the needs of the family into account. As I keep saying, they are negotiated on a case-by-case basis.

4.2.5 Deputy G.P. Southern:

And the second half of the question, and that there is no upper limit on the amount that can be claimed.

Deputy E. Millar:

There is an upper limit to the extent that we will not negotiate a repayment plan that customers simply cannot afford.

4.2.6 Deputy R.J. Ward:

Can the Minister confirm whether or not there are any families in Jersey, and certainly some in the U.K. (United Kingdom), who due to a repayment being made are accessing foodbanks?

Deputy E. Millar:

I do not have that information. I am not sure how I would get the information. It is very difficult. We have tried very hard to get data and details about foodbank use and it has proved to be enormously difficult. We launched a survey some time last year where we asked the foodbanks to put a leaflet in people's bags. We had very, very small returns to that survey. We tried to make it as simple as possible and we simply did not get any sufficient responses to draw any meaningful conclusions. We work very closely with foodbanks but they also seem to be very ... they do not collect data in the way that would be useful for it. All we get from them generally is anecdotal evidence. They do not capture data and numbers and reasons why people are using foodbanks. I simply cannot answer that question.

4.2.7 Deputy R.J. Ward:

It is interesting that the Minister "cannot" answer the question on whether children are able to access foodbanks because of repayments but at the same time the Minister is saying that they assess every case as to whether the repayments are affordable. To me, it cannot be both of those things. Can I ask the Minister whether or not the department will confirm whether families will have to access a foodbank to continue before they set a repayment?

Deputy E. Millar:

Whether people have to access foodbank is part of the discussion. The discussion is about whether the family can afford the repayment plan.

4.2.8 Deputy C.D. Curtis:

My understanding is that there is only discussion of repayments when the person appeals that. But I go back to my question from before. Could the Minister detail the support measures and consideration given to families with young children in these circumstances?

Deputy E. Millar:

As I say, the income support system is there to support families. Families are supported through the income support and I am not quite sure what else the Deputy wants me to say. We have no other ... I am not quite sure what else she thinks I have in the toolbox ... sorry, I have remembered the first point of her question. Repayment plans are not just calculated when people appeal. When a repayment arises we write to the person involved. We set out the nature of the overpayment, how and where we set out our calculation of the repayment, the person may then come forward and agree the repayment plan. They do not need to appeal to do that. But children are supported through the income support system like all other families.

4.3 Deputy M.R. Scott of St. Brelade of the Chief Minister regarding absences of the Chief Minister in States Meetings (OQ.153/2023)

Will the Chief Minister advise what process or criteria of prioritisation she uses to determine the circumstances in which she considers it acceptable to be absent from a States meeting, including whether any such process also takes into account the potential absence of the Deputy Chief Minister from the same meeting?

The Deputy Bailiff:

Deputy Gorst, are you answering this question on behalf of the Chief Minister?

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (Assistant Chief Minister - rapporteur):

It has always been the case that from time to time Members across the Assembly are absent on days when the Assembly is sitting. That of course includes Ministers who may be absent on States business representing the Island or for other reasons. In this instance, the Deputy Chief Minister is away on a long-planned absence and the Chief Minister was unexpectedly invited to attend the Women Deliver 2023 conference in Rwanda as a female head of government. The Chief Minister makes her decisions based on what she and her advisers consider to be in the best interests of Jersey.

Deputy M.R. Scott:

I do not believe that answers my question. I am asking about process or criteria in order to make such a decision. Just saying that it is on the basis of advisers is not enough.

The Deputy Bailiff:

What aspect of your question do you not think was responded to by Deputy Gorst?

Deputy M.R. Scott:

The bit that mentions process or the criteria.

The Deputy Bailiff:

Do you want to address that, Deputy Gorst, insofar as you have not already?

Deputy I.J. Gorst:

Indeed, happy to do so. I thought it was quite clear that the Chief Minister makes her decisions based on what she believes is in the best interests of Jersey. I believe that her decision to travel to this conference is in the best interests of Jersey.

4.3.1 Deputy G.P. Southern:

Will the rapporteur state whether the long-planned absence includes a long-planned absence on a States meeting day?

Deputy I.J. Gorst:

As far as I am aware it does ... I am not quite sure of the Deputy Chief Minister's return to the Island. But he is away with his family having come to the end of their examinations. As Members will know, during the course of the Deputy Chief Minister's presence in this Assembly he has very infrequently, if at all, missed an Assembly sitting.

4.3.2 Deputy G.P. Southern:

Would the rapporteur inform Members whether or not this long-planned absence does cover a States Meeting day, i.e. tomorrow?

Deputy I.J. Gorst:

I think I just answered that.

The Deputy Bailiff:

Yes, I think you did answer that.

4.3.3 Deputy S.G. Luce:

It is my belief that Back-Benchers only get a few opportunities to question the Chief Minister in public and those happen most frequently during questions without notice. The Deputy Minister says that the Chief Minister thinks it is in the best interests of the Island for her to go away but would he not agree with me that it is in the best interests of the Island for her to stay where she is elected and answer questions from Back-Benchers?

Deputy I.J. Gorst:

Let us be clear, the Chief Minister is Chief Minister of Jersey at the will of this Assembly 24 hours a day, 365 days of the year. She is still Chief Minister. She is still performing and making decisions in the best interests of Jersey. The reality is, of course, like many other places around the globe, we also have this process in place where somebody can act on-Island in the head of government's absence. It is quite clear to me that this is a Women Deliver conference 2023. It takes place every 3 years. It is an honour that the Chief Minister has been invited and that Jersey is being represented by the Chief Minister. I think we would all agree it is far better that the Chief Minister goes there and I make a not very good job of answering questions than I go there and she stays here and answers questions.

4.3.4 Deputy S.G. Luce:

I do not dispute that the Chief Minister may well be doing a good job on behalf of the Island in Rwanda but, can I ask the Deputy, whether it is necessary for the Chief Minister to be absent this afternoon? This conference lasts all week. The States sitting is going to last all week. Was there not a compromise situation that could have been found here?

Deputy I.J. Gorst:

We can always find compromises. The Chief Minister travelled over the weekend in her own time. That meant that she could be there for the opening ministerial forum, in which she was able to participate and speak. I think that that was the right choice.

4.3.5 Deputy L.V. Feltham of St. Helier Central:

As the Acting Chief Minister/rapporteur - I am not quite sure what to say - has said that an assessment has been made that this particular trip is in the best interests of Jersey, and that is an assessment he

agrees with. Could he explain to the Assembly what benefits are expected out of this particular trip and what the outcomes will be for my constituents and the constituents of the rest of the Assembly?

Deputy I.J. Gorst:

As the Deputy knows, diplomacy is an art form and building relationships and representing Jersey in the diplomatic field can but not always have those tangible sort of outcomes that she is indicating. However, I can confirm that the Chief Minister has made good progress in regard to the B.I.T. (Bilateral Investment Treaty) and moving that forward with Rwanda, and got a shortened timescale in that regard. She has also got commitments from the Finance Minister of Poland about an updating to our double taxation agreement. All of those might sound slightly strategic but ultimately they give direct benefit to all Islanders and all of her constituents.

4.3.6 Deputy L.V. Feltham:

My understanding is a number of people are attending this particular conference online and also, as we are aware, people do do a lot of work now online and remotely. Why was the decision taken that the Chief Minister could not have these conversations at another time and could not participate in this particular conference remotely?

Deputy I.J. Gorst:

Having attended such international events, both online and in person, I can absolutely say without a shadow of a doubt that the benefit to Jersey is far greater when one is sitting, standing, face to face and communicating directly with individuals as opposed to simply across a computer screen.

4.3.7 Deputy S.Y. Mézec:

In answer to a question from Deputy Southern, Deputy Gorst seemed to suggest that he did not know when the Deputy Chief Minister was due to be returning to the Island. Given that Deputy Gorst is serving as Acting Chief Minister because both the Chief Minister and Deputy Chief Minister are away, does he mean to suggest that he does not know how long he is Acting Chief Minister for?

Deputy I.J. Gorst:

As far as I am concerned hopefully as little and short a time as possible. I am sure, Sir, that you and every Member of this Assembly is hoping the same from the tenor of the questions. As I understand it, I will be Acting Chief Minister until the end of Thursday. What I cannot quite recall is whether the Deputy Chief Minister returns to the Island then or it is the Chief Minister, it is one or the other and he will be shut of me in this role.

[15:15]

4.3.8 Deputy R.J. Ward:

As chair of the C.P.A. (Commonwealth Parliamentary Association) I have no problem with people attending any States business; however, I will ask a question about prioritisation of missing States Assemblies. Given that there are some significant propositions coming through about La Collette waste and land licensing, which I will note lost by one vote last time it was brought to this Assembly, does the Acting Deputy Assistant Chief Minister rapporteur **[Laughter]** ... sorry, I have lost track of what the terminology, does that acting person feel that perhaps this prioritisation was not taken into account?

Deputy I.J. Gorst:

I think that was a question to someone else. **[Laughter]**

Deputy R.J. Ward:

Indeed it was but unfortunately they are not here. The serious question about prioritisation is there. Does the Council of Ministers consider when a piece of legislation from Ministers within the Council

of Ministers is being brought forward, if 2 voting Members of this Assembly are missing, is that really the way to lead the Island? Is that a better way to do things?

Deputy I.J. Gorst:

Of course those issues are part of the consideration before any Minister decides to take up, in this instance, a unique invitation which was offered to the Chief Minister to represent Jersey in this positive way. The Chief Minister has, I think, confidence - and I hope this is borne out in the work that Ministers are bringing before the Assembly at this sitting - that there will be sufficient support for those proposals.

4.3.9 Deputy M. Tadier:

Further to my party leader's question about how long he will be acting as Chief Minister, is it not the case that the Deputy has already been acting as Chief Minister for one year now and that the actual answer is that he is going to be acting for another 3 years? **[Laughter]**

The Deputy Bailiff:

Was that a question?

Deputy M. Tadier:

It is and I think it is, with all the laughter, a political question.

Deputy I.J. Gorst:

As the Deputy knows, there is a lot of acting involved in politics, and he is a fine example of it, and I take my lessons from him. The reality is that I am honoured that this Assembly voted for me to be the Minister for Treasury and Resources in this Government and that is a job I take very seriously and I hope to continue to serving this Assembly in that role for the remaining 3 years.

Deputy M.R. Scott:

Can I just point out I did not have my first supplementary because I was asking a point of clarification and you went immediately to Deputy Southern?

The Deputy Bailiff:

Well I thought that because you effectively did get an answer to the question you were effectively asking the same question twice but, in any event, it is now your final supplementary. Do you have a question to ask?

4.3.10 Deputy M.R. Scott:

Yes. I just wondered if the Acting Chief Minister who was the uncontested Minister for Treasury and Resources, who also is acting as Minister for External Relations perhaps, I am not sure, but anyway if he knows, given that we all gave an oath to attend States Meetings, and given the title of the conference, Women Deliver, whether the Chief Minister will be explaining how exactly she is delivering as Chief Minister by not being here, not attending question time, not being here for the propositions that are being brought before the States Assembly and whether she might have considered other options such as another female Minister taking her place given what I do believe is the importance of her position?

Deputy I.J. Gorst:

Seriously, I have no doubt that the Chief Minister weighed these issues carefully because the point about the Chief Minister being questioned on questions without notice at every States sitting is a well-made point. The Chief Minister balances, and I support her in this decision, what is in Jersey's best interests. I believe that her attendance at this prestigious conference of female leaders from around the globe, not only from government but charities and civil society organisations, is a terribly

important one and it is one that the Chief Minister is uniquely in a position to show off Jersey in a very positive light.

4.4 The Connétable of St. Brelade of the Minister for Children and Education regarding the teaching of French (OQ.159/2023)

Will the Assistant Minister outline his policy regarding the teaching of French in Island schools and advise whether he will be considering employing French assistants, as in the past?

Connétable R.P. Vibert of St. Peter (Assistant Minister for Children and Education - rapporteur):

French is the first-named language in the Jersey curriculum. The curriculum describes learning a language as the liberation from insularity and an opening to other cultures. As such, the teaching of French across Island schools continues to be a priority. French is the first language taught after English in all our government primary schools to pupils aged 7 to 11. I am happy to confirm that we certainly employ a number of language assistants who are deployed to secondary schools across the Island in line with the languages chosen at G.C.S.E. (General Certificate of Secondary Education) and A-level. There are currently 2 Spanish and one French assistant in this position working across 5 schools. In addition, we have a longstanding and valued relationship with Alliance Française to provide additional French assistants' hours to schools which are funded from the Education budget. This year this has increased to 34 hours of teaching per week and a budget of more than £40,000.

4.4.1 The Connétable of St. Brelade:

There seems to be some doubt as to whether this support is being provided to the Alliance Française and I would just like the Assistant Minister to agree that starting children's exposure to other languages, especially that of our nearest neighbour, is so, so important, not only in cultural terms but also commercial terms given that these children may well be the business people of the future.

The Connétable of St. Peter:

I am a little surprised at that question because I have already confirmed that in primary schools French is taught to all children. In a secondary school it is taught in the first year and then children have an option of choosing a language. Should they wish to specialise in French they can opt for French but they can opt for many other languages which may, in their opinion, be equally important. So we have not forgotten the importance of French, and that is demonstrated by the fact that it is the primary language that we speak that we teach in primary schools. However, we do have a more diverse Island now and I think that is important to recognise.

4.4.2 Deputy S.Y. Mézec:

Could I ask the Assistant Minister if it is a stated aim in their policy on this to improve the proficiency of French speaking among Jersey's young people going through our education system, given the importance there is to the Island's culture and heritage and of course our links with our nearest neighbour? If that is the stated policy of the Education Department, how do they measure the success of that policy and whether the proficiency of French speaking among Jersey's population is improving or not?

The Connétable of St. Peter:

I have not got anything in front of me that says it is the stated aim; however, I would have hoped from what I have already said that it is a genuine aim of the Children and Education Department in that we put the most resources into teaching French, in that other languages are not taught in primary schools nor in the first year of secondary education. If he wishes to get confirmation of what is the stated aim then I am happy to get that for him.

4.4.3 Deputy S.Y. Mézec:

The second part of the question was about how, if at all, they measure whether or not that policy is a success and whether we are seeing improved efficiency at French speaking in our population. Other jurisdictions that have stated aims on language teaching, like the Manx language in the Isle of Man or the Welsh language in Wales, they have their ways of measuring how many more people are able to speak because of that. So could the Assistant Minister outline whether that exists in Jersey for French language?

The Connétable of St. Peter:

Sorry, again, I do not have that information in front of me, so that is something that I would have to get for the Deputy.

4.4.4 Deputy M. Tadier:

Would the Assistant Minister confirm how the number of assistants for French in primary schools compares with what it used to be only a number of years ago, including what the funding difference is for that?

The Connétable of St. Peter:

I know specifically about the additional assistance we had from the Alliance Française and I believe previously they were funded for an amount of £60,000, so there has been a reduction in the number. I do not have that detail in front of me; I do know the amount that we have given you. However, that has been replaced in schools by the French Experience, and that has been taken up by 19 out of the 24 government primary schools who have delivered the French Experience programme where they have been supported by French specialist teachers to develop and consolidate the teaching of French across the school. So that is where the budget previously paid to the Alliance Française, the additional £20,000, is being spent.

4.4.5 Deputy M. Tadier:

I might be wrong but my recollection is that the French Experience used to run parallel to the language assistants and that the language assistants' budget was removed ostensibly during COVID and it simply was not replaced, so I would ask the Minister to go back and check what he has just told me. But if I could ask a supplementary, which is on the same theme. The Assistant Minister will know that our Assembly is a member of the Assemblée Parlementaire de la Francophonie. One of its aims is not just to promote French speaking but it is also to promote multilingualism both for the Assembly and for wider society. Does the Assistant Minister agree that for many in this Assembly and in wider society it is seen as regressive that a second language, full stop, is no longer compulsory at G.C.S.E.? Does he share that concern that maybe a second language at G.C.S.E. should be reinstated and, if so, what kind of resources might be needed in order to get our education system back to that point?

The Connétable of St. Peter:

Certainly a second language can be very beneficial. However, there will be some students whose interests do not necessarily include speaking a second language and who have decided on careers where they do not consider that necessary but other qualifications are necessary. I think we give our students the option of either speaking French, another language or if they do not feel that languages are for them and they want to pursue another career, then they can opt not to do a language. I think that is an entirely valid way of teaching. We are still promoting languages but we are giving children the option if that does not suit their career or their future career that they do not have to undertake a second language.

4.4.6 The Connétable of St. Brelade:

Would the Assistant Minister confirm that sufficient funding for the French assistant provision through the Alliance Française will be made in the upcoming Government Plan to enable the Alliance to survive and continue its valuable work?

The Connétable of St. Peter:

I am not aware that there is any suggestion that the current amount paid to the Alliance would be cut. I have already said that is around £40,000 a year. The way in which we spend money has changed. I will check about the French Experience but I acted on information that I was only given this morning because I asked a specific question about what had replaced the French assistants and I was told it was the French Experience. Thank you very much.

[15:30]

4.5 Deputy L.V. Feltham of the Chair, States Employment Board regarding public sector pay offers (OQ.161/2023)

Will the chair provide an update on the public sector pay groups that have yet to accept the pay offer for 2023?

Connétable A.N. Jehan of St. John (Vice-Chair, States Employment Board - rapporteur):

I can confirm that all public service employee groups have accepted the fully consolidated 7.9 per cent pay award except for nurses, teachers and school leadership groups. We continue our discussions with the nurses with a further meeting scheduled for Friday. Headteachers are currently within a process of conciliation and the teachers' groups have both confirmed to the States Employment Board that they will not currently enter arbitration.

4.5.1 Deputy L.V. Feltham:

Could the vice-chair confirm what the percentage of the workforce that represents that has not yet settled on pay for 2023?

The Connétable of St. John:

I will have to do the sums on my feet. I will get back to the Deputy so that we get an accurate figure but we have around 1,500 members have not accepted out of a total workforce of 9,000 employees. I will confirm later today.

4.5.2 Deputy M. Tadier:

I may not be able to recollect the exact words but I seem to remember the deputy chair saying that there was no more money available on the table so what is it exactly that the Government or the S.E.B. (States Employment Board) is negotiating with at the moment?

The Connétable of St. John:

We continue our dialogue. We have, as I have mentioned many times in the Assembly, quarterly meetings with all the representative groups. In fact, it was not part of the pay claim for us to review terms and conditions of teachers, we agreed to do that in one of those quarterly meetings which the work for that is underway. If we can identify savings with those groups then that will create cash but at the moment the 7.9 per cent is the money on the table.

4.5.3 Deputy M. Tadier:

Just to clarify, any increase in the 7.9 per cent offer he is saying can only come from savings that those staff would have to find within their areas, is that correct?

The Connétable of St. John:

That is not correct. I said we would have to find the savings, I did not say specifically to that group. It is worth noting that the pay is just one part of an employee's package. We offer generous terms and conditions across our area. I have mentioned recently about the one-year's parental leave that we now offer. We offer, in terms of teachers, final salary pension schemes, the only group among our employees to have that, and we offer good terms and conditions and secure employment.

4.5.4 Deputy R.J. Ward:

Can I ask the chair of S.E.B. will this negotiation include the ubiquitous gainshare concept where money has to be saved in order to get a pay rise? Also, as part of the other areas that he mentioned, the one year's leave, will he confirm that that is unpaid parental leave?

The Connétable of St. John:

The parental leave is costing us the equivalent of 2.8 per cent on our teachers' salaries because we have to pay people to cover those shifts. We pay for some of the leave, not for the full year obviously, so there is a cost to that. The terms and conditions review was agreed as part of a 2019 pay deal. We were made aware of that in May and we agreed to set to work on that as soon as possible.

4.5.5 Deputy R.J. Ward:

In a written question I received an answer to today, the Education Department is spending £313,830 since January on U.K. supply staff. Does the vice-chair believe that this is a use of money that could be stopped with a proper pay rise and this dispute could be ended?

The Connétable of St. John:

We are looking at right across government employees to reduce the amount of people we have on short-term contracts, whether they be based locally or based in other jurisdictions. The shortage of S.T.E.M. (science, technology, engineering and mathematics) teachers is not just a local issue, it is a national issue, and we are working hard to try and find resolutions in that area.

4.5.6 Deputy L.V. Feltham:

Given the significant percentage of the workforce that has yet to settle, and given that they are incredibly important front line workers, what lessons have been learned from this negotiation this year and what changes will be made next year, given that we are now into the sixth month of protracted negotiations for 2023?

The Connétable of St. John:

We are looking at putting into place a pay strategy for multiple years but we are looking first of all to resolve this dispute, which is in its seventh month of discussion unfortunately. We are always learning lessons but in my experience negotiation is a 2-way street and at the moment we have not been able to convince our colleagues to reduce their initial demands of over 15 per cent.

4.6 Deputy S.G. Luce of the Minister for Infrastructure regarding new sporting facilities (OQ.148/2023)

Further to Oral Question 73/2023, will the Minister list which of the new sporting facilities at Le Rocquier School will be provided for in this year's Government Plan?

Deputy T. Binet of St. Saviour (The Minister for Infrastructure):

I wonder if I could be permitted to hand this question on to Deputy Stephenson who is the Assistant Minister with responsibility for healthcare facilities. Sorry, sports facilities, yes. Apologies.

Deputy L. Stephenson of St. Mary, St. Ouen and St. Peter (Assistant Minister for Infrastructure - rapporteur):

Jersey Property Holdings, Jersey Sport and C.Y.P.E.S. (Children, Young People, Education and Skills) are still working with Le Rocquier School to reach a final agreement on the options to take forward. This comes in the wake of accepting that the initially-proposed figure of £70 million for a comprehensive eastern sports centre was not going to be available. The final sum to be attributed to the facilities at the school is still under discussion so it is not possible, at this stage, to identify the facilities in detail, although it is likely to focus on a 3G pitch and extension of the current sports hall. The figures will be published in September as soon as the Government Plan discussions on capital projects have been finalised.

4.6.1 Deputy S.G. Luce:

The current sports hall is very old and has many, many defects. Built in the 1970s, it has had few upgrades since then. The disability access is poor - very poor - non-compliant with current standards, the girls' changing rooms are upstairs and there is no lift. I just want a guarantee from the Minister, given that this building is currently not fit for purpose, that she will do this work in this year's Government Plan.

Deputy L. Stephenson:

I visited the building myself and have seen many of the problems that the Deputy outlines there and I am sure there are others that I could add to that as well. The reason for moving forward, as I have explained in a previous question, in this manner was because I absolutely want to see this work progress. For me and for others around the table, the way to ensure that we could deliver for the school, which is the immediate priority, is to reframe this work into something that is achievable in the current climate and current situation with other pressures around capital projects, hence why this project has now been handed over, as it were, to C.Y.P.E.S. with others working with them. That is all I can really say at this stage because it is out of my hands and I am not involved in the ongoing discussions about them. Those questions would perhaps be better directed at the Minister for Children and Education.

4.6.2 Deputy R.J. Ward:

In the answer, the Assistant Minister mentioned that Jersey Sport were involved in the decision-making process over this facility. Can I ask the Minister what their role is in making that decision?

Deputy L. Stephenson:

A member of staff from Jersey Sport works within the Infrastructure Department as part of the Inspiring Active Places project and offers project support on these kind of things. A lot of work has been done with Jersey Sport and then through the Inspiring Active Places project looking at sports needs and requirements around the Island and this individual is seen as an expert in that area.

4.6.3 Deputy R.J. Ward:

Given that Jersey Sport with their very particular idea of the way that sports look across the Island, is one of the issues that the specific needs for Le Rocquier School, a state school on the east of the Island, may not be seen as clearly given that this was an arm's-length organisation with different drivers in terms of its outcomes?

Deputy L. Stephenson:

Within this piece of work and others around the Inspiring Active Places project, the individual in question's priority is to the Island and to the terms of references as part of that piece of work, not to Jersey Sport's priorities. I would just reiterate that they have been working extremely closely with

the school throughout, both in previous incarnations of this project and currently, to ensure that it is absolutely based on the needs of the school and the wants for the future as well.

4.6.4 Connétable M.O'D. Troy of St. Clement:

Assistant Minister, we are surprised out east that we are not being given not what was promised but what has been offered. We have had the carrot of £70 million, £40 million, and now we are seeing that what we are doing is replacing old and forgotten sports facilities in education, not new sports facilities as was offered out in the east of the Island. Would you seek to give us a guarantee that during the next wave of government expenditure the east of Island will not be forgotten? The east of Island I refer to is St. Clement, Grouville and St. Martin, at the very least, and that we dearly need good, up-to-date sporting facilities for all our generations out east.

Deputy L. Stephenson:

I have a slight issue in that some of the things that have been previously promised were grand plans but did not have any funding back to them. They, at some stages, did not even have numbers but they did have pretty pictures. When it comes to delivering on these things, which is the point we are trying to move forward in the east with this project, it then leaves those of us here today in quite a tricky situation. So I very much appreciate that things have been over-promised and undelivered in the past, which is why I say we have approached this particular project in the way that we have done because we want to make sure that the needs of the school are met, as Deputy Luce has shown. There are some real issues there and it needs to be a priority that this school gets the facilities that it deserves, which is why it has been prioritised as it has.

4.6.5 The Connétable of St. Clement:

Assistant Minister, who are we best to speak to on this because it is clear that we have got now 3 of the Minister for Treasury and Resources' who have got no money. Who are we supposed to speak to to get proper representation on these issues: C.Y.P.E.S., the Education Department or Jersey Sport?

Deputy L. Stephenson:

I think all are very willing to have those conversations. As we have shown with work on F.B. Fields not so long ago, there is a want and an interest to look at the opportunities that are available, particularly in the east of the Island, and there are facilities around St. Clement's Sports Club, for example, that are doing some really great work down there and have ideas for the future. There are other private ones in the east of the Island that have plans for the future as well. So engagement and discussion with all stakeholders, including the Parish, is very important to all of those people. We have really got to work together to deliver on this. What I would just add to what I have said previously, the world has changed since the grand plans were promised a couple of years ago and we do have to set a vision and go out to achieve things together, but we have also got to be realistic as well. We have seen reports from the likes of the C. and A.G. (Comptroller and Auditor General) and others about what Government can deliver in terms of capital projects. All of those things have got to be taken into consideration. We are an Island 9 by 5 and we have got to be realistic and work together.

4.6.6 Deputy G.P. Southern:

In terms of Jersey Sport's facilities, to what extent does the Minister have on the consideration possibility that by reducing, or if necessary reducing to zero, the charge for facilities and spaces that we own, that would encourage the health and fitness objectives of her department? Has she got that under consideration and, if not, why not?

[15:45]

Deputy L. Stephenson:

There are a number of policies already in place which do speak to this kind of point around free access and very low price access. For example, a certain number of care leavers get free access to the Active scheme every year. Some young people, if they have parents already in the scheme, get access as well, as well as lower price points and concessions for certain ages, whether that be young people or old people. So it is very much part of the considerations.

4.6.7 Deputy G.P. Southern:

Does the answer we just received mean that she has under consideration the possibility of reducing the costs of hiring a hall, et cetera, or not? Because it was not clear to me whether the policies that were in place include that because until recently it was a policy to charge, to ramp up the cost of hiring a hall, but that is counterproductive in terms of fitness and health in society. Will the Assistant Minister try and make it clear as to which answer she has given?

Deputy L. Stephenson:

There is a fine balance to strike between ensuring that these facilities can generate some of their own money to ensure that it can be reinvested into the service that is provided and the facilities as well as recognising them as a public service, exactly as I think the Deputy is suggesting there. As I say, there are a number of policies already in place and it is very difficult to explain in 2 sentences. There is not one overarching policy when it comes to renting halls or fields. For example, some groups - I think around charities and others, but again there are different arrangements in place for different groups - are given discounts. Then there are different concessions in place for the Active scheme as well. There is not one answer that fits all people, I am afraid.

4.6.8 Deputy M. Tadier:

We have heard about needing to be realistic when it comes to money that is available. I remember when I asked for 1 per cent to be given to the arts and culture in Jersey I was told that was not realistic and it was not affordable, but the difference was I think I had a vision which I brought to this Assembly and the Assembly at the time got on board with that vision. Could the Assistant Minister tell us what her vision is for sport in the east of the Island and what it looks like?

Deputy L. Stephenson:

I would just point out at this stage that I think I am a very different politician to the Deputy who asked the question, who I understand brought that move in a certain situation at a certain time. I want to work collaboratively with my colleagues and recognise that government spending is a full package of money, it is not for fighting over among ourselves. We have a Common Strategic Policy that all Ministers are working towards. My vision for sport in the east of the Island in the short term is to push this project in a realistic and achievable way, which means handing it back to C.Y.P.E.S. so that schools' priorities can be met. In addition to that, this Assembly agreed a few weeks ago to amend the covenants that govern F.B. Fields and we hope that that move will be given approval by the Privy Council later this year. We are currently on track for October, given how busy things are with the Privy Council. I would then like to create a vision around F.B. Fields, as I set out in that meeting a few weeks ago, around the community and sport and what is, I think, an exciting opportunity in the east.

4.6.9 Deputy M. Tadier:

I do have a supplementary. Let us talk about the £70 million that was proposed because the £70 million now is much more affordable because inflation has gone up. So we should be looking for more than £70 million. Was it not the case that it was the Minister for Treasury and Resources, who was a former Deputy of St. Clement, who promised that money and was supporting that and that now we have a Minister for Treasury and Resources who is also a former Deputy of St. Clement and - I

may be mistaken - a governor of Le Rocquier, certainly he has been in the past? Should it not be the case that while we must work collaboratively, I am sure, from a Government point of view, a little pressure applied to the Minister for Treasury and Resources' wallet might find that it is the case not that he does not have any money but that he is maybe being too reluctant to open his wallet up now for what is essentially still part of the heart of his home constituency?

Deputy L. Stephenson:

It felt very much like a question for the Minister for Treasury and Resources, not for me. I do not really have a view on that at this stage. As I say, all I can do is work with my colleagues collaboratively and try to achieve what I think is realistic and deliverable.

4.6.10 Connétable M. Labey of Grouville:

In support of my fellow Connétable and Deputy Luce, I would just like to state that the sporting facilities in the far east of the Island are woefully inadequate in comparison to those in other parts of the Island. I would just encourage the Minister, if I may, and ask her: is this project at Le Rocquier School solely for the purpose of the pupils therein or is this going to be open to members of the public in the east of the Island?

Deputy L. Stephenson:

While the priority is on the school's needs and the facility will be for the school during the day, the brief that has been provided to those working on the project is that it should then be community use outside of school hours.

4.6.11 Deputy S.G. Luce:

I am increasingly concerned by the Assistant Minister's answers. I accept that we live in a changing climate financially and the world has changed, but the Minister does not want to talk particularly about spending money on these facilities at Le Rocquier and prefers to mention F.B. Fields and her plans there. I wonder where the money is coming from. Le Rocquier was part of, with Springfield and Oakfield, what we were going to do when we closed the Fort down. We know what has happened to Springfield. We know Oakfield is not even out for tender yet, and now we are faced with the possibility that we may lose funding for Le Rocquier. Is the Minister satisfied that coming out of the Fort was the right decision?

Deputy L. Stephenson:

This is not a case of losing funding for Le Rocquier. There was never any funding in the first place. As far as the question around Fort Regent goes, I still believe that the move to decant sport from Fort Regent is the right way to move. I have not seen any evidence at this stage that we could keep people in the Fort and do the work around them that is needed. I have read a number of reports which make it clear there are very challenging situations around electrics, plumbing and others, all of which will require work regardless of what it is decided happens at Fort Regent. As far as I can see so far, recognising that there are others involved in this as well, there is no evidence that it would be right to leave people there in what are currently not fit for purpose from a sporting perspective facilities only to try and work around them in the future.

4.7 Deputy R.J. Ward of the Minister for Children and Education regarding the impact of delivering of a full curriculum (OQ.154/2023)

I assume it is the Assistant Minister taking the answer.

The Deputy Bailiff:

Yes.

Deputy R.J. Ward:

In light of the concerns raised by all teaching unions over recruitment and retention, will the Assistant Minister explain whether in his assessment there will be any impact on the delivery of a full curriculum in both primary and secondary schools from September?

The Connétable of St. Peter (Assistant Minister for Children and Education - rapporteur):

I do not expect any impact on the delivery of a full curriculum in primary and secondary schools from September. I have no doubt there will be some gaps in rolls caused by resignations received in May, but it is quite normal and something the department, headteachers and schools deal with every year. As a former teacher himself, I am sure the Deputy is aware of this, but for the benefit of others I will explain. Teachers have 3 dates a year on which they can resign, and these are the last days of February, May and October. In most cases it is simply not possible to advertise, recruit and have a substantive permanent replacement in place by the start of the next term. In rare cases, we may find a recruit who is not currently working in a school and they have no notice period to work, but in the vast majority of cases teachers will be working in other schools. As an example, if we are notified of a resignation at the end of May and advertise and offer the appointment by the end of July, a teacher already working in a school would not be able to hand in their notice before October and move to their new role until January the following year. This clearly leaves a gap from September to December that needs covering and we do this by our use of supply staff, internal cover and, more recently, U.K. supply staff to fill the gaps.

4.7.1 Deputy R.J. Ward:

What the Assistant Minister fails to recognise is that supply staff do not necessarily fit subjects. I will ask him, though, his reference to the U.K. supply staff. From 2 questions, and just bear with me for one second, from 1st September to January 2023, last year, there was a total of £35,840 spent on supply staff. With the average cost, that would be 112 days of supply staff. From January to July this year there is a total of just staffing, not the extra costs, of £226,663, equivalent to 763 days of cover staff. Is the Assistant Minister genuinely saying that by using agency staff who are non-specialist in subjects there is no threat to delivering a full curriculum to every child on this Island?

The Connétable of St. Peter:

What I said was that this is something that occurs every year and to date we have not experienced significant problems in ensuring that the curriculum continues. Of course, in most cases we would want a specialist teacher. That is not always possible. However, we are aware that there will always be some gaps. There are 30 to 40 per cent reductions in U.K. recruitment for teacher training in science and maths. This continues to impact recruitment efforts, but initiatives such as the Jersey graduate teacher training programme are delivering some teachers who can fill these gaps. I would say that the situation this year is certainly on a par with previous years, where there has not been a significant problem in filling those gaps.

4.7.2 Deputy M. Tadier:

Is the Assistant Minister taking into account the potential for industrial action and working to rule not being resolved by September when he answers Deputy Ward's question about whether the core curriculum can be effectively delivered in September?

The Connétable of St. Peter:

Well, of course, that is an unknown at this point and probably my colleague in the S.E.B. would know more about when potential strikes might hit us. Nevertheless, at whatever point they hit us, they will impact us. We can only plan on a basis of what we know and what we do not know, and we cannot plan on what we do not know.

4.7.3 Deputy G.P. Southern:

The Assistant Minister sounds, if I may say so, somewhat complacent when saying that this happens every year. The question must be: what special measures, what new initiatives, does the Assistant Minister have in mind in order to eliminate, or reduce at least, the situation this time around?

The Connétable of St. Peter:

The fact of the matter is that we have already explained why there is a gap. Teachers will tend to resign in May. Inevitably, due to that, there will be a gap between September and December. That occurs every year. Every year we have been successful, as far as I know, in recruiting and closing those gaps. So I do not understand why we would need special measures this year.

4.7.4 Deputy G.P. Southern:

We might need special measures because of what the Assistant Minister reported about the dearth of fully-trained teachers in the U.K. So the situation is going to be worse. What measures does he have in mind, special measures? For example, perhaps a Jersey bonus for certain subjects where we know we will have gaps, as he says. What measures is he implementing to ameliorate what is happening?

The Connétable of St. Peter:

Well, I can only repeat that we do not see the need for any special measures. We have filled these gaps in the past. We have no reason to believe that they will not be filled this year.

[16:00]

I spoke to staff on this exact subject this morning and they do not believe that the situation is very different from any previous year. Yes, there are subjects where it is more challenging. Nevertheless, we have to date been able to fill those posts with the required specialist teachers.

4.7.5 Deputy C.S. Alves of St. Helier Central:

Is the Assistant Minister aware of any kind of tracking of impact there may be from those students who end up having teachers who are non-specialists in core subjects especially?

The Connétable of St. Peter:

I am not aware of any tracking. Nevertheless, throughout education there have always been instances where it has been necessary for non-specialist teachers to cover posts. It is regrettable that that occurs on occasions, but to date I am not aware of that having caused a significant problem. I am certainly not aware of any method of tracking that.

4.7.6 Deputy C.S. Alves:

So would the Assistant Minister consider putting in some form of tracking or observation to see if there is any impact? Because to say that he is not aware of it when there is no tracking going on is a bit counterintuitive.

The Connétable of St. Peter:

Well, like any additional measure, that would need consideration as to its impact and how that tracking would be undertaken. I am quite happy to put it forward and we can assess whether it is feasible or not.

4.7.7 Deputy R.J. Ward:

I just ask the Minister's reassurance for parents out there that their children will not be facing any disruption to their curriculum due to a shortage of staff from September because he is confident that those posts will be filled, and perhaps he could give some sort of estimate of the spend on U.K. agency staff up until Christmas this year.

The Connétable of St. Peter:

Given the nature of the question, I am not quite sure how relevant the spend on staff to December is and I certainly would not have brought that information with me. So perhaps you could decide whether that is relevant. I cannot see how it is relevant to the question.

Deputy R.J. Ward:

Can I just say we have been told that the gaps are plugged by using U.K. agency staff so, therefore, there is a direct correlation between the number of agency staff being used and how many gaps need to be plugged. It is just simple logic.

The Deputy Bailiff:

The question is about the impact on delivery of the full curriculum. In any event, you cannot answer the question, can you?

The Connétable of St. Peter:

No, I cannot answer the question and I do not believe it was relevant. Thank you very much.

The Deputy Bailiff:

Well, we have completed 7 of the 20 questions but more than half the time allotted has now been taken up. Members may wish to bear that in mind.

4.8 Deputy G.P. Southern of the Chief Minister regarding zero hours contracts (OQ.150/2023)

I will try to do it as quickly as I can. Further to the Chief Minister's statement on 4th July 2023 that £800,000 in savings had been achieved by changing zero-hours contracts to full-time contracts for a section of the workforce, will she state the titles, grades and departments of the employees concerned, explain how this change achieved those savings, and indicate what proportion of the overall workforce is currently on zero-hours contracts?

The Connétable of St. John (Assistant Chief Minister - rapporteur):

Thank you for the question. The question is quite complex inasmuch as I would prefer to supply a written answer to some of the points, but I will try and answer as much as I can. The workforce use of zero-hours contracts is, in my opinion, far too high. Currently, we have 3,851 zero-hour contracts in place, with some 2,000 of those being used in the last 12 months. We are looking to put people on annualised hours rather than zero hours where we know that they are only available, for example, within school terms. Perhaps they may work in health, and I think it would be much better if they were on an annualised contract, giving them certainty and giving us certainty as an employer. Having so many people on zero hours that we are not using ... and in some cases it may be the same person who holds more than one zero-hour contract. They may be on a zero-hour contract for a lunchtime assistant and a zero-hour contract for breakfast support. We know that we are going to have lunch and breakfast; we should be putting these people on contracts of employment which are permanent. When we are paying for licences for people, it costs us a lot of money for D.B.S. (Disclosure and Barring Service) checks where people are not being used, for licences, for email addresses, et cetera. We have saved some £200,000 by introducing a new system called Optima, which allows for us to roster people 6 weeks in advance rather than going week by week. This is giving us surety and giving the staff surety and we are looking to further enhance that system as we go forward.

4.8.1 Deputy G.P. Southern:

I think that may well have answered my question quite accurately. Could the Assistant Minister send me or assure me of the mechanism by which this Optima system works? Because I find it rather difficult to imagine that zero-hours contracts, being the cheapest form of employment, that any

savings can be made at all by shifting from zero-hours contracts to full-time contracts. Could he guarantee that I get access to the Optima system?

The Connétable of St. John:

The Deputy will be second in line after me to see that system. I will be happy to share the system with the Deputy.

4.8.2 Deputy R.J. Ward:

I just wonder whether the Assistant Minister could confirm whether Deputy Gorst is one of those zero-hours contracts at the moment? That was all. [Laughter]

The Connétable of St. John:

It would appear that it is not a fixed-term contract because we do not know the end date. [Laughter]

4.8.3 Deputy M.B. Andrews:

I think many constituents would be interested to know in response to my written question there are now 949 vacancies across every government department there is. So what are the States Employment Board going to do to ensure that payroll expenditure savings will be made moving forward?

The Connétable of St. John:

It is a very good question. It is an area that we are looking at. We have put a lot of resource and effort into recruitment and retention. We are currently reporting on vacancies where that work is being covered by somebody on a zero-hour contract. Where I said earlier where we can use annualised hours, where we know that somebody is going to be available for 37 or 38 weeks a year, we should be putting those people on an annualised contract where we only have to then worry about the 14 weeks. It also gives that person guaranteed income and the ability to join a pension scheme.

4.9 Deputy C.S. Alves of the Minister for Treasury and Resources regarding checks on claims to Revenue Jersey (OQ.163/2023)

Will the Minister explain what checks or audits are carried out on companies that submit claims to Revenue Jersey for benefits in kind for their employees?

Deputy I.J. Gorst (The Minister for Treasury and Resources):

Benefits in kind are effectively emoluments which are not money and which are not capable of being turned into money. Some are taxable and some are not. Employers file annual returns of the taxable benefits in kind provided to each of their employees. The Comptroller of Revenue tells me that his officers undertake a number of checks on the information provided by employers, which will include comparisons with the tax returns of employees to help ensure that benefits in kind are properly taxed. Revenue Jersey also undertakes work to ensure that all tax or benefits in kind are properly declared by employers.

4.9.1 Deputy C.S. Alves:

The Minister mentioned there that it is done on an annual basis. Are there any other checks done throughout the year?

Deputy I.J. Gorst:

The department has a revenue compliance strategy and each year within that strategy there is a compliance programme. The 2023 compliance programme specifically refers to addressing risks related to benefits in kind at this point around share schemes and they are currently at the risk assessment stage.

4.10 Deputy A. Howell of the Minister for Infrastructure regarding hazardous waste (OQ.147/2023)

Will the Minister explain how contaminated leachate taken from the hazardous waste at La Collette is treated at the sewage works prior to being discharged into St. Aubin's Bay?

Deputy T. Binet (The Minister for Infrastructure):

The leachate from La Collette at the present moment is taken by tanker to La Collette. Work is under way at the present time to pipe that into a sump so that it can be pumped through the drainage system, and that work is not complete yet but it will be ready shortly. Once it arrives, it is discharged into the primary reception area and it runs through the system in the self-same way as standard sewage. This will mean more to people of a scientific background than it does to me, but the first process is to remove grit. Then it goes into primary settlement tanks to remove the larger organic particles. Then it goes through an activated sludge treatment, which is a biological treatment phase. It then goes through to settlement tanks to settle out the micro-organisms, and then finally it is treated with ultraviolet light before discharge into the bay.

4.10.1 Deputy A. Howell:

I was just wondering how much it is tested as it goes out for things like heavy metals and P.F.A.S. (per- and poly-fluoroalkyl substances) chemicals and the like.

Deputy T. Binet:

To the best of my knowledge, it is not examined for P.F.A.S. content at the moment, nor heavy metals.

4.11 Deputy S.Y. Mézec of the Minister for Health and Social Services regarding funding for Motor Neurone Disease (OQ.151/2023)

Further to reports that funding from the M.N.D. (Motor Neurone Disease) Association for the Island's only motor neurone disease specialist nurse will be ending in the next few months, will the Minister advise what actions she will take to ensure that adequate support remains for those affected by this disease?

Deputy K. Wilson of St. Clement (The Minister for Health and Social Services):

Thank you to the Deputy for his question. I have also been approached by the Connétable of St. Helier, so if I could I want to reply to both of you on that basis. What I would just like to say is thank you to the M.N.D. Association for the continued support of the specialist nurse. The actions that I will be taking will be to meet with the M.N.D. Association after the summer recess to understand what the resource requirements will be for the continuation of the nurse specialist. This nurse specialist is critical in avoiding admissions and so we want to realise the benefits associated with that contribution. So I have asked the medical care group to continue to work closely with the clinician in post to make sure that individual needs for patients and appropriate care plans are in place in the interim.

4.11.1 Deputy S.Y. Mézec:

I thank the Minister for her answer. It appeared from reports of this that the specialist nurse position would be ending because of the loss of funding. Does the Minister accept that in not committing to any clear action in relation to this specific role now, while the Government is in the process of putting the Government Plan together, which will be the place for additional funding for this kind of thing, if necessary, then there is a risk that those actions may occur too late to safeguard this service in the short term? Can she attempt to give the Assembly reassurance that there will not be a gap in service provided to these people?

Deputy K. Wilson:

Yes, and I reflect the Deputy's concerns about it. I will do my utmost to try and protect the resource for this. There is a meeting tomorrow with the Neurology Department to scope out the resource requirement, and I think any consideration of that will be reflected in our planning going forward, but at this stage I cannot commit to anything at this moment in time.

4.12 Deputy G.P. Southern of the Minister for Treasury and Resources regarding mortgage rates (OQ.160/2023)

Further to Oral Question 138 of 2023 and any further discussions with the Fiscal Policy Panel and stakeholders, will the Minister state whether it remains the case that most Jersey mortgage holders have 5-year fixed-rate mortgages and are unaffected by U.K. base rate rises and that some 4 per cent of households may need to remortgage? Will he advise what proposals in this area the Cost of Living Ministerial Group is pursuing for the Government Plan?

[16:15]

Deputy I.J. Gorst (The Minister for Treasury and Resources):

Recently, the Assistant Chief Minister wrote to the Island's banking sector to ensure they match the recent undertakings of U.K. banks to mortgage holders and offer as much help to Islanders with mortgages as possible. The cost of living group also continues to monitor that situation. Clearly, as time goes on, then more Islanders will be in need of renegotiating their mortgage deals as they come off their older fixed rates. However, as previously reported, Islanders were largely cushioned by fixed 5-year terms. It is difficult to know the exact number of mortgages but it will still likely be low, perhaps 10 to 15 per cent of all mortgages.

The Deputy Bailiff:

A supplementary?

Deputy G.P. Southern:

No, thank you. I think that has answered my question.

4.12.1 Deputy M. Tadier:

Can we just ask in real terms what 10 to 15 per cent of those mortgages looks like? What numbers of households are we talking affected by this?

Deputy I.J. Gorst:

I do not have those details with me but I can certainly ... I am just going to hesitate before I make a commitment. If we have those numbers, I will provide them to the Deputy.

4.12.2 Deputy M. Tadier:

I suppose the follow-up is that we know the percentage terms, but even though it is a relatively small number does he agree that for those households who are facing this issue at the moment it is going to be particularly worrying for them? Will the Minister make sure that those families are kept in the loop and any additional support not just from the banks but from Government that can be given in terms of advice is also offered?

Deputy I.J. Gorst:

We absolutely accept that for some families high interest rates will be difficult because when resetting their mortgage their monthly payments will or may have substantially increased. The reality is that the best placed organisation to support families who are struggling with payments are the banks, and that is why the Assistant Chief Minister wrote in the terms that she did only I think about a fortnight ago.

4.12.3 Deputy G.P. Southern:

I have my supplementary at last. Will the Minister assure Members that the Government will continue to act as the insurer of last resort in the sense that help for anyone who needs it with mortgage problems in this current time should be able to turn to the Government and not just the mortgage companies themselves?

Deputy I.J. Gorst:

I do not think the Government should be the insurer of last resort when it comes to mortgages. The appropriate approach is the one that the Assistant Chief Minister has taken, which is Government ensuring and keeping in communication and talking to banks so that no family is put in a position where they lose their house because of difficulties with mortgage repayments.

4.13 Deputy S.Y. Mézec of the Minister for the Environment regarding supplementary planning guidance for affordable homes (OQ.158/2023)

Will the Minister explain why, given the adoption of proposal 24 in policy H6 in the Bridging Island Plan, which provided for an affordable housing contribution on large private developments from January 2023, he has not produced the supplementary planning guidance to give effect to this policy, despite telling the Assembly in January that he would do so in short order?

Deputy J. Renouf of St. Brelade (The Minister for the Environment):

I very much regret that I have been unable to produce and adopt the supplementary planning guidance which would enable policy H6 to take effect. This guidance, as the Deputy knows, relates to the delivery of assisted purchase products by the private sector on development sites of 50 or more homes, where at least 15 per cent of the development should be made available for sale or occupation by Islanders eligible for assisted purchase housing. Planning applications for private residential development of this scale occurs relatively infrequently in Jersey. Nevertheless, there is a clear and pressing need to ensure that the policy becomes operational. I have been working on the development of this guidance together with the Minister for Housing and Communities, and I will aim to bring it forward by the end of this month. This should then enable policy H6 to take effect. The reasons for the delay in its introduction are related to a number of factors. The first I guess is that the top priority has been on those elements of supplementary planning guidance that will enable the delivery of affordable homes, and this has involved a lot of work to develop new guidance and revise very outdated existing guidance. It is also vital to inform the preparation of development briefs for the rezoned housing sites in the Island Plan. That supplementary planning guidance has been on new density standards, revised residential space standards and revised residential parking standards, and development briefs for the 15 rezoned housing sites have also been produced. So, in summary, really it is pressure of work on a small team working on many different fronts has meant that not all work has been completed in the timescale that I would have liked.

4.13.1 Deputy S.Y. Mézec:

Could I ask the Minister if he is aware of any examples of planning applications being made for a development of homes which would otherwise have been caught by policy H6 but where that policy has not been able to be applied because of the lack of supplementary planning guidance produced, which is now over 7 months late?

Deputy J. Renouf:

Yes, I can. Two applications I believe fall into that category. One was the South Hill offices, which has in any case been turned down, and in any case would have been required to provide 15 per cent of houses because it is a States-owned entity. So that one does not really account for this in these terms, although obviously it would have been better if the guidance had been ready. There is one other application that was passed subject to a planning obligation agreement. That was for 61 homes,

so it would have triggered across the 50-home threshold, and that would have yielded, were it to have been subject to this, I think something like 9 or 10 homes.

4.13.2 Deputy M. Tadier:

So it is fair to say that because the Minister or his department has not managed to get the supplementary guidance in time we have lost 9 affordable homes that we would have otherwise had?

Deputy J. Renouf:

Yes, that is true.

4.13.3 Deputy M. Tadier:

It is frustrating when a proposition which has been pared back to the very minimum that Government will accept for 15 per cent, and then when the Assembly speaks and the sovereignty of this Assembly is not enacted through circumstances beyond the Assembly's control. What kind of accountability is there? In terms of the Minister going back to his department, which he may say is under-resourced, but will there be any accountability or consequence for the loss of those 9 affordable homes because of what is presumably the department's responsibility?

Deputy J. Renouf:

There are 2 points I would like to make to that. The first is that, yes, the Assembly did ask for that guidance to be brought forward. It also asked for dozens of other pieces of guidance to be brought forward in that Island Plan and, indeed, other work to be done by the department. I have to choose which ones to give the greatest priority to, and I gave some indication in my answer earlier about some of the items that I chose to put the greatest emphasis on. They related to affordable housing sites and to supplementary planning guidance that would apply across all categories of housing. These are difficult decisions to make where you have to choose to prioritise resources and, as I say, I am unhappy that the guidance on this particular area has resulted in one application going through before we were able to do it. The other thing I would say is that I have spoken to officers about this issue and I think the issue that I find most personally embarrassing, I suppose, is that I did say that I would bring it forward previously and was not able to do so. I think there is something of a culture of over-promising and under-delivering. In other words, if the Minister says he wants something, there is a tendency to want to satisfy the Minister, and I have made very, very clear to officers that I want realistic assessments of when things can be done so that I can make proper decisions about what order to do them in and also provide information to this Assembly that is more likely to be met. So that is a conversation that I have had with officers and they, I think, are very well aware of my opinion about that.

4.13.4 Deputy R.J. Ward:

Apart from the ... I changed my question about the design and plan being passed needing supplementary guidance that cannot be delivered, which is a serious issue. But can I ask the Minister: in his answer he did seem to ... we seem to be using the word "minimum" 15 per cent as simply "15 per cent." Can I ask the Minister whether he is clear that what was passed is a minimum of 15 per cent? Is he expecting that to be the actual number every time?

Deputy J. Renouf:

I was not in the Assembly when this was debated but my recollection is that the figure of 15 per cent was the result of pushback from the industry that was concerned that it would not be able to deliver sites at all if there was too high or too great a requirement for affordable housing. Inevitably, this is a tension and we have to try and manage that tension; 15 per cent was the figure that was settled on. I would certainly encourage developers to think of it as a minimum. Whether that is going to be realistically what they feel they are able to do is not something that ultimately I can control.

4.13.5 Deputy R.J. Ward:

I think this is very important that what was passed was the wording, a minimum of 15 per cent. I remember at the time in the debate that many of us said that that 15 per cent minimum would become 15 per cent full stop. Can I ask the Minister to show some serious leadership in this because that 15 per cent figure needs to be the bare minimum of 15 per cent if we are actually going to address the affordable housing crisis on the Island? So can I please ask him not to water down this minimum 15 per cent and perhaps even look to increase it?

Deputy J. Renouf:

I certainly have no intention of watering it down. As I say, the question of what is brought forward by developers is not something I have direct control over. Leadership does require that I try and balance the different requirements, the different forces in this equation, and we do have to have some regard to what the industry can afford to develop as well as what we would ideally like to be developed. That is a conversation which I will be continually having because it is something which I feel very strongly about. We do need more affordable housing. The final point I would make is that there are different definitions of affordable depending on where you are in your life and so on, and I think we can think about that in terms of the affordability throughout the whole range, not necessarily just houses that fit strict criteria within this particular policy.

4.13.6 Deputy G.P. Southern:

I cannot resist asking this particular question. Where is this site and who is the developer?

Deputy J. Renouf:

I do not think it is a secret. It went to the Planning Committee I think last meeting. Samuel Le Riche House in Plat Douet Road is the house. I do not know the name of the developer. I do not think that is particularly relevant.

4.13.7 Deputy L.V. Feltham:

Given that the Government's stated 3 areas of relentless focus are supporting Islanders with the cost of living, housing, and recruitment and retention, and affordable housing is cited as a key component of all of those areas, why has the implementation of this policy not been prioritised?

Deputy J. Renouf:

The delivery of affordable housing has been prioritised. As I said, it has been prioritised through a number of other supplementary planning guidance and development briefs, which are also vital for affordable housing. In other words, there are many things that we have to do that are vital for the development of affordable housing. There is a long list of them. They are all mandated. The Island Plan gives no guidance on which ones should be the absolute-absolute highest priority. That is for me to work out with officers. Some things have unfortunately taken longer to develop. Some of the consultations have been longer. That has taken up more officer time, and some of them have generated a lot of consultation feedback, all of which is analysed, all of which is responded to, and all of which requires officer time to do it. So, as I say, it is a matter of great regret that we have not been able to get through all of those items to get to this particular piece of supplementary planning guidance before an application went through but, as I have indicated, I very much hope that we will be able to close that gap by the end of this month.

[16:30]

4.13.8 Deputy L.V. Feltham:

Could the Minister provide further clarity as to what exactly has been the blocker to the implementation of this policy and what action he has taken as a Minister in order to mitigate those?

Deputy J. Renouf:

Well, to some extent I have answered that in the sense that there is not a blocker, it is just a question of the workload, but I can give some other indications. Beyond those supplementary planning guides and the rezoned housing sites, we are also looking at action around short-term holiday lets, for example, which is a key part of potentially an area where we can increase housing supply relatively quickly if we can bring houses that have been moved into short-term holiday lets without planning permission. Those are houses that are already built. They have planning permission and they would potentially move straight back into the market. There are potentially several hundred of those, and I note that there are 400 houses available through the rezoned housing sites. So it is of that same order of magnitude of houses. That again, though, requires consultation. It requires sensitivity around potential disruption to an industry and so on. These are complex issues that we work through with a team of relatively small but I must say exceptionally hard-working and dedicated officers, who all understand the need for this. But we do take these things through processes, and I think other Members would be standing up and criticising me just as much were I to try and rush through things without following those due processes. So that is the difficult balancing act that we have to follow.

4.13.9 Deputy S.Y. Mézec:

The Minister said it himself when he used the phrase “overpromise and under-deliver.” So can I ask the Minister how we can feel any confidence that his assurance that this will be done by the end of the month can be taken seriously when that is only 14 days away? Can the Minister confirm that even if he is able to get it done in that timeframe, from what date will this policy be in action and providing those affordable homes? Will he further give a message out to those who are planning to submit planning applications that they should be including that as a minimum 15 per cent but hopefully higher than that from now?

Deputy J. Renouf:

The question about ... I have given the answer that I have given. I have said we will do our very best. I cannot absolutely guarantee. I have temporarily forgotten the second bit that you asked in there, sorry. I beg your pardon.

Deputy S.Y. Mézec:

That was from what date the policy would then be in action.

Deputy J. Renouf:

Yes, sorry, I beg your pardon. Yes, that is not entirely under my control. There is a second aspect to the development of the enactment of policy H6. It does require, from my memory, work from the Minister for Housing and Communities to develop the products that will be available to use with that and I have not checked recently to see what stage that work is at, but I would be happy to update.

Deputy S.Y. Mézec:

He missed the final part of the question which was about whether he would be prepared to send some sort of message to developers who are planning to put planning applications in that they ought to be planning for that policy to come into effect as soon as possible and not submitting applications that do not include that affordable housing contribution.

Deputy J. Renouf:

I think the answer to that question is that even if an application came in in the next month or 2 and the guidance was not there, it would be determined at a point when the guidance was in place. So I cannot see that that would need to be triggered ... that that would be triggered.

4.14 Deputy S.G. Luce of the Minister for Children and Education regarding nursery provision (OQ.149/2023)

With regard to nursery provision on the Island, will the Minister advise what meetings, if any, she has held since the last States sitting with Acrewood Nursery and more generally with other Ministers on this subject?

The Connétable of St. Peter (Assistant Minister for Children and Education - rapporteur):

Deputy Doublet would have had delegated responsibility for early years, but as she is malade I will answer the question on her behalf. The first thing that I need to point out is that I would not normally answer questions in this area, but I appear to be the last man standing this time. Because we have a preschool operated by the Parish in St. Peter in which I have some responsibilities, so therefore it can be a difficult area and I will absent myself normally from any discussions regarding grants or increases to States funding. So, that said, Deputy Doublet met with the owners of Acrewood Nursery on Thursday, 6th July, the day after the last States sitting. She tells me it was a positive and informative meeting and she was able to fully understand their current position and the actions taken. Since the last Assembly, Deputy Doublet has also held discussions with myself as the Assistant Minister for Children and Education, and those were more general, more on the basis of J.E.Y.A. (Jersey Early Years Association), and also with the Chief Minister again regarding early years. Looking at the meetings that did take place in addition, she met with J.E.Y.A., the Jersey Early Years Association, on 10th July and she also met with the Jersey child carers on 13th July.

4.14.1 Deputy S.G. Luce:

I just want to wish both the Assistant Minister and the Minister well from being malade. We have seen a massive decline in numbers of people providing childcare nurseries and, in fact, in the day care association we are down now to about 50 people from 200. It is my view that this is down to bureaucracy. The amount of forms and courses that had to be undertaken is quite overwhelming. Does the Minister accept that bureaucracy is a major factor in the inability for childcare provision on the Island?

The Connétable of St. Peter:

Thank you for that question. I was not particularly aware of the bureaucracy element but I am certainly willing to add that to any discussions with the Early Years Association. Also, I can easily have discussions with our own staff in the Parish. If that is an issue, then we need to seriously look at that and I will take that forward.

4.14.2 Deputy C.D. Curtis:

Assistant Minister Deputy Doublet has stated that: "Making quality childcare more affordable is my highest priority because it is one of the biggest cost of living pressures for families." There were 7 Council of Ministers priorities in the Common Strategic Policy. One was cost of living, another was children and families. Is the Assistant Minister not receiving adequate support on these priorities from the Council of Ministers?

The Connétable of St. Peter:

As the Assistant Minister is not available to answer that question directly, I can only comment. Certainly, in this latest on the issue of Acrewood she certainly did seem to be receiving support, so I would have to ask her directly whether she feels that she has not received the required support.

The Deputy Bailiff:

Final supplementary, Deputy Luce.

4.14.3 Deputy S.G. Luce:

Sorry, Sir, I was expecting a few more questions, especially given that this is such a massive issue for the Island. Getting parents back to work is vital to the productivity gains that our economic Minister speaks about when he says his solutions are for returning us to a much better economy. Does the Minister agree with me that, given the challenges, it is time that the States provided these facilities?

The Connétable of St. Peter:

Of course, the States have commenced providing these facilities in primary schools. Most primary schools do have a nursery attached. However, I think certainly their hours do not extend beyond the school hours and I think that is an issue. But the private sector has always been very important and I think they provide a service that many parents like. I can speak from experience, and I go back to our own experience as a Parish, that we can never satisfy the number of requests we have for places. I cannot speak for all nurseries, but we have constant requests to take up places which we do not have. We have 24 places, they are fully occupied, and yet there was one point last year where we had requests from 10 parents in one week. So it is something that we are looking at. I know that looking further into the provision of nurseries in the primary schools is something that the Assistant Minister is looking at. They are already there but I think it is early years in that. We need to look at exactly what parents require, but also there is that important part, which is the privately owned nurseries that have served the Island very well. Sorry, I have forgotten the thread of your question.

Deputy S.G. Luce:

I think the Minister was agreeing with me that the States need to provide these facilities.

The Connétable of St. Peter:

Yes, we have started on that journey, that is what I can say, and we are looking to improve that. Thank you very much.

4.15 Deputy R.J. Ward of the Minister for Economic Development, Tourism, Sport and Culture regarding the Ports Policy Group (OQ.155/2023)

May I, before I ask this question, just ask who is answering it and where the answer has come from? If it was given to the Assistant Minister directly from the Minister, then I would be interested in the answer, but if it is officers writing an answer without any Ministerial involvement, then I am effectively not asking the Minister a question.

The Deputy Bailiff:

Yes. Who will respond to this question?

Deputy A. Curtis (Assistant Minister for Economic Development, Tourism, Sport and Culture - rapporteur):

That will be me, Sir. This answer is a combination of talking to officers, my own knowledge of the process, and speaking to the Minister last week.

The Deputy Bailiff:

Do you want to pursue your question?

Deputy R.J. Ward:

Not really, Sir. I submitted this question by the deadline on Thursday. Can I ask the Assistant Minister whether that conversation took place and when, then, and was the Minister here? Because, to be quite frank, this question time is becoming utterly pointless.

The Deputy Bailiff:

Well, I think you either put your question now or another time. Do you want to put it another time?

Deputy R.J. Ward:

Can I ask it to be taken as a written question and have a written reply to this or not?

The Deputy Bailiff:

In view of the time, yes, because we have many questions left. Yes, you can.

Deputy R.J. Ward:

I may as well, Sir, because, no offence to the Assistant Minister, I am sure he will do a very amicable job, an extremely well-delivered response. However, this is about Ministerial plans.

The Deputy Bailiff:

If you are content to answer the question in writing?

Deputy A. Curtis:

Yes, Sir, we are.

The Deputy Bailiff:

Yes, thank you.

The Minister provided the following response on 27/07/2023:

Answer

This priority has been delivered. The group has been re-established and meets Quarterly and works to provide strategic direction to Ports of Jersey and ensure alignment with Government priorities. The terms of reference for the Ports Policy Ministerial Group were approved by the Chief Minister in November 2022 and are available on the Government website.

To date the group has met to provide input on matters including, but not limited to, Jersey's Harbour Masterplan, and air and sea connectivity.

4.16 Deputy A. Howell of the Minister for Infrastructure regarding international safety standards of leachate (OQ.152/2023)

Will the Minister explain how his department ensures that every tanker load of leachate taken from the cells of hazardous waste at La Collette is safe according to internationally accepted standards and, furthermore, how the public is assured of the robustness of this process?

Deputy T. Binet (The Minister for Infrastructure):

There is a slight degree of ambiguity in the way the question is written, so I approached Deputy Howell and we have agreed what the question was intended to ask. I am going to endeavour to answer it in that context. As I have explained in my previous response to Deputy Howell, the leachate at La Collette, when it is sent to La Collette, is treated in exactly the same way as raw sewage's treatment. That treatment is fully compliant with all the discharge regulations and the site is licensed and regulated under Jersey's drainage and waste management laws. It also holds a trade effluent discharge permit and a waste management licence. Water samples at the outflow are analysed against the marine environmental quality standards specified in the European Union's Water Framework Directive. Recently, there has been quite a lot of concern expressed about the possible presence of trace elements of heavy metals at discharge and, as I said earlier, in recent times there have not been any of those tests. But I have spoken to the department and we are already under way to set up

monthly tests for heavy metals at the outlet. Furthermore, we are quite happy to make those results publicly known.

4.16.1 Deputy A. Howell:

I was really asking as well how we are testing the leachate when we are taking it from the hazardous waste before it goes to La Collette.

[16:45]

Deputy T. Binet:

We certainly do not test the leachate before it is transported. I am led to believe that there are not any safety issues in the transport process, so I think that would possibly be slightly unnecessary. But we do test leachate from 10 cells every 6 months and we do test for heavy metals at that time, from the leachate itself from 10 cells.

4.17 Deputy C.D. Curtis of the Minister for Economic Development, Tourism, Sport and Culture regarding medicinal cannabis (OQ.157/2023)

Given that in his Ministerial priorities the Minister states that he wishes to support the development of the medicinal cannabis industry into a highly regulated, robust and innovative, export-focused element of our rural economy, will he advise what action has been taken to address this part of his plan?

Deputy A. Curtis (Assistant Minister for Economic Development, Tourism, Sport and Culture - rapporteur):

I will just confirm for the record that the Minister and I did discuss over the phone the 3 questions that I am delegated for, as well as obviously preparing in advance. As outlined in the delivery plan, further strategic work has been commissioned and it is anticipated that this work will be completed by quarter 3, 2023. This work will assess the key risks to the industry and advise on how to maximise the opportunity in the medicinal cannabis industry and develop our jurisdiction as a premier location for medicinal cannabis. The Minister has also reconstituted the Medicinal Cannabis Ministerial Group and an officer-level group to co-ordinate Government activity.

4.17.1 Deputy C.D. Curtis:

Is there a long-term policy in place now to drive the development?

Deputy A. Curtis:

As I mentioned, work is under way. The plan is to be looking 10 to 15 years within our policy development on this sector.

4.17.2 Deputy R.J. Ward:

May I ask the Assistant Minister what communication has been undertaken with the Minister for Health and Social Services and the Minister for the Environment in order to ensure that whatever industry is developed is compliant both in terms of World Health Organization rules on medicines and the environmental impact of what is effectively a monoculture?

Deputy A. Curtis:

The Minister does meet with the Minister for Health and Social Services, the Minister for Justice and Home Affairs, and the Minister for the Environment and they do routinely discuss the industry and the relevant challenges that each Minister has.

4.17.3 Deputy R.J. Ward:

Can I ask then, does the Minister have a view on the role of cannabis in terms of its medical use and whether or not there needs to be a change in the direction of the industry so that the product produced is more exportable?

Deputy A. Curtis:

I believe that we have a regulatory regime that is compliant against both the U.K. issuing import licences and others and Jersey issuing export licences with regards to medicinal cannabis and I believe, speaking with the Minister and officers, that we are content with the current regime.

4.17.4 Deputy M.R. Scott:

When the Assistant Minister says he is content with the current regime, then could he please explain why he is looking to revise it and what his position is regarding the World Health Organization rules and the lack of a national regulatory authority?

Deputy A. Curtis:

I daresay we are getting very technical in an area that I will profess is not my expertise. Speaking to officers, I did ask about our position as I have been approached by different individuals about our position with regards to World Health Organization standards. I have been reassured that our processes conform to that. That is a separate thing to obviously developing a 10 to 15-year plan for medicinal cannabis as an industry in Jersey.

4.17.5 Deputy M. Tadier:

Can the Assistant Minister assure that Jersey is being treated in the same way as any other producer that might be offering similar products through the U.K. and is not in any way being singled out in this process?

Deputy A. Curtis:

I am not aware that Jersey is being targeted any differently to industries. There are a number of factors at play here and there have been relevant or recent headlines around industries. It is important that we split the production of hemp and medicinal cannabis in this conversation, though. But I am not aware of a fundamental difference.

4.17.6 Deputy M. Tadier:

Would the Assistant Minister explain whether part or all of the issue here is that there are traces of T.H.C. (tetrahydrocannabinol) coming through in what is otherwise supposed to be C.B.D. (cannabidiol) products? Is that the case?

Deputy A. Curtis:

Can I ask the Deputy to clarify if he is talking about a specific case or any particular instance in which this is meant to be happening?

Deputy M. Tadier:

My understanding is that when Jersey is looking to export non-T.H.C. content C.B.D., so products which are destined potentially for medicinal use but you do not need a medicinal licence to use C.B.D. products, it is quite common for there to be an element of T.H.C. trace element in it. Is it the trace elements which are causing the issue for the exportation of the product? Of course, if he does not know, that is also fine, it is not his area, but he could maybe offer to come back with that information.

Deputy A. Curtis:

The process for export is to require a valid import licence from the place in which it is received. So I believe as long as processes and import licences are granted, Jersey will follow suit with export

licences. The specifics on any individual case, and I know there are some that are live, the department and Government are not looking to comment on individual cases, and I make that point at this time.

4.17.7 Deputy S.G. Luce:

In the Assistant Minister's 10 to 15-year plan, can he tell the Assembly how much financial return he is expecting to the Exchequer?

Deputy A. Curtis:

No, I cannot at this point.

4.17.8 Deputy S.G. Luce:

Would he agree with me that there will be no financial return to the Exchequer?

Deputy A. Curtis:

I cannot agree with that right now. The previous States agreed a tax position on medicinal cannabis, and while the industry is in its early stages I think it is right that we see out how the industry develops and pays through that mechanism.

4.17.9 Connétable D. Johnson of St. Mary:

The Assistant Minister will be aware that there was a fairly critical report by the previous Economic Development Scrutiny Panel as to the regulations in force. I will make my question brief. Who now constitutes the Oversight Policy Group in Ministerial terms which was promised during the course of that panel's review?

Deputy A. Curtis:

I believe that the Connétable is discussing the Ministerial group I referenced, the members of which are the Minister for Economic Development, Tourism, Sport and Culture, the Minister for Health and Social Services, the Minister for Home Affairs, and the Minister for the Environment.

The Connétable of St. Mary:

Thank you. That is fine. That is all. Thank you.

4.17.10 Deputy C.D. Curtis:

The Assistant Minister mentioned key risks being looked at in the work ready for quarter 3. Does this work include a risk assessment on the legislative base for this sector?

Deputy A. Curtis:

I would suggest that we return with a more formal position as to what all the work covers to the Deputy. I do apologise as one Deputy who has risen for the lack of attendance by Ministers in this session.

4.18 Deputy C.S. Alves of the Minister for Economic Development, Tourism, Sport and Culture regarding Jersey Sport (OQ.164/2023)

Given that in his Ministerial priorities the Minister states that he wishes to develop a co-ordinated approach to sport across Government to help in the delivery of Ministers' strategic priorities, will he advise what action has been taken to address this priority and what the role of the arm's length organisation Jersey Sport is in addressing it?

Deputy L. Stephenson (Assistant Minister for Economic Development, Tourism, Sport and Culture - rapporteur):

I would just point out that I would have hopefully been answering this question anyway were the Minister here. A new sports sector officer was appointed earlier this year to provide additional resource to this priority and her work to date has identified a number of opportunities for improving a co-ordinated approach. A new government group has also been established to discuss, agree and co-ordinate the Government's sport and physical activity priorities and determine how these will be delivered and by whom. Another example of cross-government working which falls under this priority to date is the establishment of a play strategy steering group, which I am chairing, bringing together representatives from various government departments as well as other stakeholders, including Jersey Sport. In line with Ministerial priorities, a review of sport and physical activity policy, strategy and delivery is currently under way. Jersey Sport, as the arm's length organisation, is the key delivery partner for any outcomes of this review and in supporting the implementation of the Minister's priorities for sport and physical activity.

4.18.1 Deputy C.S. Alves:

Can the Minister advise when we will be seeing the completion of the work that she just stated there with the priorities and who is delivering what?

Deputy L. Stephenson:

Some of that work will be ongoing. For example, the Government group that has been set up is something that I would like to see as an ongoing, continuing piece of work that will not have a conclusion as such. Other pieces of work within it may well do, and I would expect the review that is currently under way to speak to that point as well and perhaps make some suggestions about how something like that could be formalised in future. That review is currently ongoing. The public consultation part of it closed on Friday and there have been a large number of submissions which are quite detailed, so our timescale for publishing the results of it has been pushed back slightly. We expect that to now be October. Then the play strategy steering group that I mentioned, we would expect towards the autumn to be potentially publishing some results and starting to talk about that work. We have held 3 meetings, I think, to date on that, which have all been establishing terms of reference and bringing together quite a diverse group of people. But as soon as I have more information on that I am very happy to share.

4.18.2 Deputy R.J. Ward:

In terms of priorities in this question, can the Minister confirm whether it is the case that Jersey Sport spent more on branded merchandise for Jersey Sport than they did on, for example, funding Jersey Football Association?

Deputy L. Stephenson:

I do not have the details of the accounts of Jersey Sport to hand but they are published annually and are available online for anybody to have a look at.

4.18.3 Deputy R.J. Ward:

Can I ask whether, if that is the case, the Minister thinks this is the right priority in terms of developing our sport? Is it not about grassroots funding for, for example, football, women's football on the Island, girls' football? I would say that that is not happening in some areas simply because they do not have changing rooms. Is that not the priority that should be made and not the branding for an arm's length organisation?

Deputy L. Stephenson:

The review that is currently under way is taking a look at all of the priorities both within Government and within Jersey Sport and how the 2 work together. I expect that once that has been completed we can move forward in a far more productive way to perhaps recalibrate where necessary and work together towards some common goals. It has now been over 5 years since Jersey Sport was established and I think it is a very sensible moment to take a look at that and move forward from there.

4.18.4 Deputy A. Howell:

I just wondered if the Minister could let us know when we will have the result of the roof of Fort Regent, please, and whether some things may be able to return there after the vaccination centre closes.

[17:00]

Deputy L. Stephenson:

I am not aware of a timescale on the roof work. I can liaise with the Minister for Infrastructure and come back to the Deputy.

Deputy A. Howell:

The other bit of the question was whether we are going to be able to return to using the large hall in the Fort when the vaccination centre closes?

Deputy L. Stephenson:

As I have said in answer to a previous question earlier today, we are continuing to press ahead with the decant of sport from Fort Regent. But the delays to the Oakfield project mean that Fort Regent needs to stay open for the time being until that project is delivered, which we currently anticipate to be another year. A bid has been made as part of the Government Plan to ensure that that facility can stay open. My view - and it is still a sports facilities site at Fort Regent - is that while there is a space there and if people want to use it and we can make that happen, recognising that there are challenges around staffing the site and where certain areas may have been closed off, but if there are suitable places that can be used in a pragmatic way while the site is still open, then I would be very keen to see that happen.

4.18.5 Deputy L.V. Feltham:

In her answers to the questions the Assistant Minister has mentioned a lot of reviews and steering committees, could she confirm the cost of the reviews and administering the steering committees and also the anticipated benefits and what will be delivered?

Deputy L. Stephenson:

The cost - I have previously published as well of the review - is around £12,000. I believe that we have just agreed for another day or so's work of that individual because there has been such a high interest in meeting with him from various groups and organisations. I think that represents extremely good value for money for the work that we want to complete there. As I have said earlier, I believe that is a really important piece of work that is going to carry out a very timely review of our relationship with Jersey Sport, among other things, and then provide a really good base from where we can reset and move on in a productive way. Everything else that I have mentioned in there, the steering group and others, is all within existing resources and the steering group particularly brings together a really diverse and interesting group of people, some of whom are stakeholders from outside of Government and it represents arm's lengths working with us. Charities, some individuals with interests and qualifications in that area as well, all of whom are giving up their time within their own existing resources to work with us on this.

4.18.6 Deputy L.V. Feltham:

Even though the Assistant Minister has said that this work will be done within existing resources, it will indeed come at a cost. It would be good if the Assistant Minister could quantify how many hours she anticipates these people spending in meetings and what work may not be done because people are spending time having a chat in meetings.

Deputy L. Stephenson:

I really would take issue with the way that question was asked because if, for example, take the play strategy, a commitment was made by this Assembly as part of the Bridging Island Plan that 3 Ministers would work on exactly this. It has then come up as a priority across various conversations that some joined-up thinking needs to happen on this, so that is exactly what is being done now. I would argue that compiling some figures, as the Deputy suggests, would be a waste of time and resources.

4.18.7 Deputy M.R. Scott:

Could the Assistant Minister just clarify the extent to which Jersey Sport is being involved in the development of policy, as well as the delivery of policy and, if it is the case, how this conflict of interest might be addressed and the risks associated with it addressed?

Deputy L. Stephenson:

I think it is fair to say - and the Deputy will know this from some of our previous conversations - that I think there is a lack of clarity around this area, which is one of the key drivers for the review that I have mentioned earlier. I very much see Government as setting the policy and Jersey Sport as delivering on that work. But recognising that those employed by Jersey Sport and the organisation itself are very valuable and experienced and passionate about sport and the aims of delivering for Islanders there should be mechanisms in place for them to be consulted and to feed in on policy. I hope that helps.

The Deputy Bailiff:

Thank you. That brings the period for oral questions on notice to an end.

Deputy M. Tadier:

Sir, may I make a suggestion that we could seek to finish the 2 remaining oral questions that have been lodged with notice? I think it is within the Assembly's gift to do that and we are coming back tomorrow anyway, I think, and we will not finish questions without notice today anyway. I think it would be courteous both to Ministers and those who have prepared answers to finish those.

The Deputy Bailiff:

No, I think that has previously been ruled by the Chair that there is no facility to extend the time for oral questions on notice. It has in the past, as you will know, been suggested that those who have been asked questions now can reply to those questions in writing. But there has been no ruling to the effect that there can be an extension of the time permitted for oral questions or permitted by Standing Orders.

5. Questions to Ministers without notice - The Minister for the Environment

The Deputy Bailiff:

We now move to the first period of questions for Ministers without notice and the first question period is for the Minister for the Environment.

5.1 The Connétable of St. Helier:

Would the Minister indicate whether he has received the planning inspector's report on the Les Sablons development in Broad Street and, if so, when he received it and when he will be publishing or making his decision upon it?

Deputy J. Renouf (The Minister for the Environment):

I cannot answer that question in the way that he thinks. Because I was on the council of the National Trust for Jersey which objected to that planning application while I was on the council, I have recused myself from the decision-making process and it is Assistant Minister Jeune who will look at that application. I do not routinely look at the Assistant Minister's planning applications because they are ones in which I have a conflict, so that would be rather counterproductive. I am not able to answer that question but I am sure we can get you the answers to that question very quickly.

The Connétable of St. Helier:

I am grateful.

5.2 Deputy S.G. Luce:

Could the Minister remind the Assembly of the process that he goes through to ensure compliance with planning obligation agreements?

Deputy J. Renouf:

Planning obligation agreements are not directly the responsibility of the Minister in terms of how they are set. They are set between the Planning Committee and the developer. However, when planning obligation agreements are entered into they then become a subject of compliance and the question of whether compliance has occurred in general is a question that is raised by people, rather than being proactively investigated because of the limited amount of resource that we have to pursue compliance in a number of different areas. In general, those questions are brought to our attention by people.

5.2.1 Deputy S.G. Luce:

I just think I am correct in saying to the Minister that it is not just the Planning Committee that enforce planning obligation agreements. But my supplementary is this: would the Minister be surprised if people were to undertake legal obligations in entering into planning obligation agreements and then do not comply with them?

Deputy J. Renouf:

Yes. This is an area that I have begun to focus on with the compliance team because it is clear that - this was also mentioned, I think, in the MacKinnon report - there has not been sufficient rigour in the policing, if you like - that is the wrong word - in the monitoring, let us say, of planning obligation agreements, which extend into the right number of areas. They are not all major things, some of them are quite small. But it is my view, for the credibility of the planning system, that enforcement should be consistent and timely. It is something that I am hoping to be able to drive forward with much more rigour, let us say, as we make the improvements in the MacKinnon report.

5.3 Deputy M.R. Scott:

Could the Minister please expand a bit on his philosophy that he shared with States Members in recent days regarding random checks in the context of licences of landlords and how the licensing of landlords is expected to improve random checks, given that car drivers have random checks, despite not having licences?

The Deputy Bailiff:

Is this in your field, Minister?

Deputy J. Renouf:

For the benefit of Members who were not at the briefing on Friday, I think it was, this refers to the licensing of private rented dwellings, which I am bringing to the Assembly tomorrow and you can have a sneak preview of part of my speech in the sense that this relates to the question of why we do not have the ability at the moment to pursue compliance cases effectively where the safety of rented dwellings is at issue. It is because tenants are very reluctant to come forward with complaints. They fear that they will be victimised in some way, their tenancy may not be renewed, their name may get known, passed around and so on, whether that is valid or not is slightly not the point. The point is we know for a fact that people are very reluctant to bring forward complaints. The reason why that is, is because if we do an inspection of a property then the landlord knows that the only reason we were doing that inspection is because of a complaint. We would have no other knowledge of even that the rented accommodation was present in that building because we do not know where rented accommodation is in the Island. The point about the licensing system is that every property that is rented will have to be licensed and, therefore, there will be a licence which will detail where it is,

therefore we can do a number of random inspections. Therefore, when doing an inspection the landlord will not know whether the reason we are doing the inspection is because they have received a complaint or because we are doing a random inspection. That should give tenants the comfort to bring forward complaints in the knowledge that they will not get blamed by their landlord for having done so. Inasmuch as that is a philosophy, there it is.

5.3.1 Deputy M.R. Scott:

If random checks are going to be increased, is there not a danger that more tenants will be asked to leave while properties are being renovated and in the absence of sufficient alternative for housing, might that cause a danger of a lack of housing?

Deputy J. Renouf:

I believe that is a relatively small risk in this sense, that when we are embarking compliance on these cases the issues at stake are very rarely of the kind which require immediate vacation of premises. Quite often they will be things that can be sorted out in a short-term way while remedial work is planned and then done. For example, we have had cases where windows have been broken and the window gets boarded up for 3 months until a replacement is put in or, in more extreme cases, you might shut off a room while that working is ongoing but you would, nevertheless, be able to keep people living in it. Only in the most extreme cases where the property was literally structurally in danger would we anticipate the need to move somebody out. In those cases, the same as when that happens in any other situation in society, there are various mechanisms to deal with it. It might be that it is through social housing provision, it might be through people going to C.L.S. (Customer and Local Services) and explaining their situation and so on. It is analogous to any other situation where an emergency requires someone to be rehoused. We do not anticipate, as I say, a massive extra demand on that service as a result of licensing being in place.

5.4 Deputy P.M. Bailhache of St. Clement:

Following Deputy Scott's questions and indeed the Minister's letter to the *Jersey Evening Post* published on Saturday and headlined: "The licensing scheme will offer an efficient way to ensure standards", will the Minister explain how his scheme to prohibit landowners from letting their property without a licence will help to identify properties where minimum standards have not been observed?

[17:15]

Deputy J. Renouf:

I must say I am not responsible for doing the headline but I certainly stand by that letter; those are subeditors' decisions but I stand by the contents of the letter. I think I partly explained it already in the sense that what we need is to encourage people to come forward with complaints and what we know is that they are very reluctant to do so. We know this because we do sometimes get calls from people who say: "We are just phoning up to let you know about this. We do not want you to take any action." Officers then engage in protracted discussions to try and persuade them to at least get a visit so that the officers can see what the issue is. Sometimes they agree to that, on the condition that no further action is taken. We know there is this problem out there but we also know that we are not surfacing the whole problem and we are not being able to follow up on those problems because of the reluctance of people to come forward. By having a licensing scheme we will be able to do random inspections, which, as I explained in my answer before, will mean that tenants who fear that there might be repercussions will have the confidence of coming forward, knowing that their landlord will not know whether they have been visited because of a random inspection or because of a complaint.

5.4.1 Deputy P.M. Bailhache:

I do not think the Minister has answered my question but does that mean that bad landlords will not be asked to declare on their application forms that their properties do not comply with the minimum safety standards?

Deputy J. Renouf:

I think it is implicit in applying for a licence to rent out your property that you are self-certifying that you meet those standards. Those standards have been in place since 2018; they are the law and they have been for 4 years. The question of whether or not a property meets those standards should not arise; it must already do so. This licensing scheme is a scheme to make it more efficient, more flexible in terms of the way that we are able to enforce that 2018 law.

5.5 Deputy A. Howell:

Can the Minister explain if he feels there is sufficient testing of the outflow from the sewerage works at Bellozanne to ensure the safety of Islanders?

Deputy J. Renouf:

My understanding is there are 2 sets of tests that take place in relation to Bellozanne. There is one set, which the Minister for Infrastructure has already talked about, which occur at the actual outflow and that is the sewerage treatment works monitoring its own output. But there are then tests that are done by the natural environment team in St. Aubin's Bay. St. Aubin's Bay is sampled regularly, it is sampled including next to the outfall, so that we get a good idea of what is happening in the bay. Those tests are very regular, they are published, the results are published on the website and even when we had the recent problem with the sewerage treatment works which showed that the outlets at the sewerage treatment works was putting out water that was below quality, by the time it was being dispersed in the bay, the bay was still of good quality and that is because obviously the tides and the large size of the bay disperses that water. But, nevertheless, that was when we had the bathing advisory just to be sure on the safe side. I am confident on the basis that we do publicly-published tests on a regular basis in the bay that the outfall is of sufficient quality.

5.5.1 Deputy A. Howell:

I realise that for bacterial quality that is the case but is it the case for heavy metals, for for ever chemicals, and how far around you go with the tide and how often are those tested?

Deputy J. Renouf:

Dealing with P.F.A.S. first, P.F.A.S. levels in our groundwater and reservoirs are currently below the E.U. (European Union) standards. It would be a major astonishment if they, by being further diluted in the ocean, became higher than that. I think P.F.A.S. in the seawater, we would obviously like there to be absolutely none at all but it would be hard to imagine that it would breach limits. In terms of heavy metals, I would have to get back with a detailed answer on that but there are various ways you can look at the health of the seabed, which is what you are talking about when you are talking about heavy metals, and one of them is sea grass. We have one of the few areas in Britain where sea grass areas are expanding fairly significantly. I have to say we are not entirely sure why that is but it can only be good news because sea grass is particularly sensitive to contamination. In general, I would say I am not worried but I will look in more detail and try and get a more detailed answer to the Deputy on that.

5.6 The Connétable of St. Brelade:

Would the Minister outline to Members his department's policy with regard to noxious weeds and particularly ragwort?

Deputy J. Renouf:

I regret that off the top of my head I do not have that information but, again, I will happily look into it. I apologise.

The Connétable of St. Brelade:

Could I just remind the Minister the ragwort, a noxious weed, seems to be prevalent throughout the Island and just to make the Minister aware that this is poisonous to cattle?

5.7 Deputy L.V. Feltham:

Could the Minister confirm whether he or his officers have undertaken any assessment on the effect of the 2(1)(e) scheme on the potential availability of land or property that could be used for affordable housing, public open space or access to public amenity?

Deputy J. Renouf:

The question of 2(1)(e) properties is that they are restricted to purchase properties above a certain threshold. In general, those thresholds would automatically mitigate - in fact that is why they are there - against the property being suitable for low-cost housing. I think when we look at whether or not we do this, I would think to myself is this a worthwhile use of time? I would say it probably, in my view, is not. I am not aware of having analysed that explicitly. But it is a question of given that 2(1)(e)s are buying into properties that are very high value, I am not quite sure that that would be particularly useful.

The Deputy Bailiff:

That brings the first period of questions without notice to an end.

6. Questions to Ministers without notice - The Minister for International Development

The Deputy Bailiff:

The second period is for questions for the Minister for International Development.

6.1 Deputy M.B. Andrews:

Can the Minister provide detail on the support that has been given to Sudan?

Deputy C.F. Labey of Grouville and St. Martin (The Minister for International Development):

I thank the Deputy for his question. Sudan is a conflict which erupted in April and it is an evolving situation. We have 24.7 million people in need of humanitarian assistance; that is 53 per cent more than the start of this year. Jersey Overseas Aid have allocated £150,000 to 2 agencies so far, £75,000 to Care International for medical supplies, health, nutrition, wash for people in the country. In neighbouring countries where so far 450,000 people have fled to Chad, Egypt, South Sudan, we have allocated £75,000 to U.N.H.C.R. (United Nations High Commissioner for Refugees). We also have one of our U.N. (United Nations) placements, our junior programme officers, who is on a 2-year placement working in Cairo at the moment with U.N.H.C.R. As well as that, at the beginning of the year we award amounts of money to crises, persistent crises through the U.N.

6.2 Deputy S.Y. Mézec:

On social media recently the Minister highlighted the brilliant work done by a Jersey Overseas Aid bursary recipient as an intern for the Palestinian Centre for Education and Cultural Exchange. Could the Minister explain a bit more about the relationship between the Overseas Aid Commission, its bursary students and this organisation and explain perhaps also about what other work is done in that particular region to support and provide relief for people who live under occupation?

Deputy C.F. Labey:

Yes. As the Deputy knows very well, this is a very protracted situation whereby Palestine has been occupied now for over 50 years. Since 2009 Jersey Overseas Aid have been supporting Palestine and we have so far allocated £1.4 million to Palestine in various ways; an agency we use and indeed used last week to deliver some medical aid, it is medical aid for Palestinians and also empower girls and women there. Jersey Overseas Aid does offer bursaries, both professional and bursaries to students to encourage them to go and study or sort of utilise their skills in countries such as Palestine.

6.2.1 Deputy S.Y. Mézec:

I thank the Minister for that answer and I would like to ask her if she agrees with me that as an Island community that knows what it is like to suffer under occupation, it is vitally important that the Overseas Aid Commission continues to provide support and have a connection with this particular part of the world and will she endeavour to update States Members as frequently as she is able to as to the brilliant work the Commission is doing in that particular part of the world?

Deputy C.F. Labey:

Yes, indeed. While I do not remember the Occupation personally, I know those that did; grandparents and my own parents, yes. As I say, we have supported Palestine since 2009 by £1.4 million and it is something that we monitor and I will update the Assembly when the opportunities arise.

6.3 The Connétable of St. Clement:

Minister, you might have partly answered this to Deputy Mézec's question but what opportunities does your Ministry offer to school leavers to participate in international development projects?

Deputy C.F. Labey:

We offer opportunities, not necessarily just to school leavers. For example, the U.N. placement I spoke about of the person we have in Cairo, today we are advertising, I can advise the Assembly, for our fourth U.N. placement and they will go and work in the Ukraine. We have 4 placements and those are wonderful opportunities for Islanders interested in international development. We have other opportunities, for example, our volunteer programmes, our community work projects. Admittedly they are volunteering but if a student wants to go out and experience the work there is normally a 30-strong person of people in a community work project. Those people that work either in, this year, for example, building a sand dam in Kenya, community centre in Nepal and the last one is sending teachers to Rwanda in a couple of weeks' time when they have broken up. It is wonderful opportunities for Islanders to expand their skills and experience and bursaries, as I have mentioned, as well. Plenty of opportunities, we have got brochures and it is on our website. If you know of anyone interested, especially in this U.N. placement, do give them a nudge.

6.4 Deputy M.R. Scott:

Is any consideration being given to provide aid to people in the Congo region and is the conflict there affecting any of the aid initiatives in Rwanda?

[17:30]

Deputy C.F. Labey:

Yes, indeed we do give to the Congo area and in fact that is one of the areas of ongoing conflict. We used some of our pooled funds at the beginning of the year to donate monies through our agencies there. The last part of your question was, does it affect Rwanda?

Deputy M.R. Scott:

The aid that is being given to Rwanda by the J.O.A.C. (Jersey Overseas Aid Commission).

Deputy C.F. Labey:

No, it does not affect Rwanda. We have got different projects going on in Rwanda, a lot of dairy projects, financial inclusion, that they are less emergencies than the Congo monies.

Deputy M.R. Scott:

Sorry, I just meant is the conflict affecting that aid?

Deputy C.F. Labey:

I could not say no but obviously if we are giving our sustainable grants to agencies, we ensure that aid is being delivered. The aid that we give to the Congo is emergency aid and it is a different purpose. No, it would not affect the sustainable projects in Rwanda.

6.5 Deputy A. Howell:

Can the Minister explain what she achieved during her recent visit to Zambia and Malawi?

Deputy C.F. Labey:

I would say there were 3 main areas of focus, probably more generally to fly the flag for Jersey, to reinforce Jersey's reputation as a good global citizen, to give positive visibility, to demonstrate that Jersey is more than just an international finance centre and to build relationships with governments, the British High Commissioner, with the communities and with our N.G.O.s (non-governmental organisations) who we work with. More specifically I went there to promote the Jersey breed, which has huge amounts of benefits in Africa, to launch our first project in Zambia with the R.J.A. and H.S. (Royal Jersey Agricultural and Horticultural Society). I spoke at an Africa Jersey Forum in Blantyre where, again, we are promoting the Jersey breed. But probably ... not probably, the most important reason for going there was to try and alleviate malnutrition.

6.6 Deputy S.G. Luce:

Does the Minister think that Russia's exit from the Black Sea Grain Initiative will result in increased demand on overseas aid and, if so, where will that come from?

Deputy C.F. Labey:

I do not know. I do not know, I cannot answer that question.

The Deputy Bailiff:

Are there any more questions for this Minister? Okay, so that brings this period of questions to an end. We now turn to the final period of questions for the Chief Minister ...

Deputy M. Tadier:

Sorry, can I ask, it is customary to move for the adjournment at 5.30 p.m., could I move for the adjournment, please?

The Deputy Bailiff:

The adjournment is proposed. Is that seconded? **[Seconded]** Does anyone wish to speak on the proposal to adjourn now?

Deputy I.J. Gorst:

Sir, I am happy to take questions, it is customary for the question session to be completed when we sit on a Monday to deal with questions but I am in the hands of Members.

The Deputy Bailiff:

Yes. Does any Member wish to speak on this proposition or we shall move to vote now? In that case we will move to the vote, Members wishing to adjourn now will vote pour, those wishing to

complete the final session of questions for the Chief Minister, in the form of Deputy Gorst, will vote contre and I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. Greffier, there was just the one vote online, which is not in the figures in front of me. Yes, so I can announce that the proposition has been rejected: 17 votes pour, 19 votes contre and one abstention.

POUR: 17	CONTRE: 19	ABSTAIN: 1
Connétable of St. Helier	Connétable of St. Brelade	Deputy M.R. Scott
Connétable of St. Clement	Connétable of St. Peter	
Connétable of Grouville	Connétable of St. Martin	
Connétable of St. Ouen	Connétable of St. John	
Connétable of St. Saviour	Deputy C.F. Labey	
Deputy M. Tadier	Deputy S.G. Luce	
Deputy M.R. Le Hegarat	Deputy R.J. Ward	
Deputy S.M. Ahier	Deputy C.S. Alves	
Deputy S.Y. Mézec	Deputy I.J. Gorst	
Deputy D.J. Warr	Deputy Sir P.M. Bailhache	
Deputy H.M. Miles	Deputy C.D. Curtis	
Deputy J. Renouf	Deputy R.E. Binet	
Deputy L.V. Feltham	Deputy H.L. Jeune	
Deputy A. Howell	Deputy M.E. Millar	
Deputy B. Ward	Deputy T.J.A. Binet	
Deputy K.M. Wilson	Deputy M.R. Ferey	
Deputy L.K.F. Stephenson	Deputy R.S. Kovacs	
	Deputy A.F. Curtis	
	Deputy M.B. Andrews	

7. Questions to Ministers without notice - The Chief Minister

The Deputy Bailiff:

Are there any questions for the Chief Minister in the form of Deputy Gorst?

7.1 Deputy S.Y. Mézec:

With Deputy Gorst fielding these questions it is like the good old days, is it not? By the good old days I mean of course the bad old days when the Government he previously led inflicted a £10 million austerity package against some of the most financially vulnerable people in our community. Is it the view of the current Chief Minister that those policies had any bearing at all on the growing levels of inequality which have been observed in successive income distribution surveys and what policies, if any, does the current Chief Minister believe in to undo the damage that was caused in that time?

Deputy I.J. Gorst (Assistant Chief Minister - rapporteur):

But I am now wishing I had voted pour to Deputy Tadier. The reality of course is not quite as described by Deputy Mézec. The last Government for which I was sitting in this chair proper sought to balance budgets and not increase expenditure and that is what it did and it made savings across

Government portfolios. The Deputy also knows that the driving difficulty behind income inequality, and has been for the last at least 2, if not 3 reports about income distribution is the cost of housing, and that is an issue which the current Chief Minister is absolutely focused, together with the Minister for Housing and Communities, on dealing with and bringing forward solutions to.

7.1.1 Deputy S.Y. Mézec:

It would be nice to see any evidence of that anytime soon, as we have already discussed in this States sitting. The question was more to do with the austerity package which he inflicted as Chief Minister, which was about direct financial support to financially vulnerable people being cut. Given that this Government has quite rightly adopted in its mini-Budget a position previously increasing payments to financially vulnerable people in Jersey, is that a sign that the current Government rejects the method that the previous Government, which he was head of, had in that time?

Deputy I.J. Gorst:

The current Government, like previous Governments, believes in balancing the budget and only spending what is available to spend and not living on debt, as previous Governments did. What this Government did in the 100-Day Plan was to bring forward a mini-Budget to deal with the cost-of-living crisis, that is no different, I think, to what previous Governments would have done, given the cost-of-living crisis that the incoming Government faced when it came into Government. I stand by those measures in the mini-Budget, as I know the Chief Minister would do were she answering this question in person.

7.2 Deputy M. Tadier:

Would the Acting Chief Minister tell us what discussions took place at Council of Ministers regarding landlords' licensing that Deputy Renouf will be bringing? Can he confirm in the spirit of openness whether there is unanimous support for this proposition from the Council of Ministers and, if not, whether there is likely to be a free vote from Government on this key piece of legislation?

Deputy I.J. Gorst:

By convention, as the Deputy knows, conversations around the Council of Ministers' table and the minutes thereof are confidential to allow for good, open conversation and policy discussion. As the Deputy might also understand, there was robust conversations about this particular issue when it was last discussed. I was not at the Council of Ministers but my understanding is that it is a decision to move forward by a majority of the Council of Ministers.

7.2.1 Deputy M. Tadier:

I do not expect for the details of the conversations to be given out of course but, as the Chief Minister reminded us, I want the outcome to be reported back. As the Chief Minister reminded us, I think, at the last sitting, the normal policy is for robust discussions to be had at Council of Ministers, then for the Council of Ministers to come to a position and then for the Council of Ministers to act collectively when it comes to agreed policy by a majority decision. Is that what happened? Is that what is going to happen in this particular debate, notwithstanding the absenteeism that we have already seen; they of course cannot vote?

Deputy I.J. Gorst:

I am not really sure that I have got anything to add to what I said. I was not at the Council of Ministers on the last occasion that this was discussed. When it was previously discussed there was very broad support around the Council of Ministers' table for it.

7.3 The Connétable of St. Clement:

Minister, given the high cost of living and its representation in G.S.T. (goods and services tax) and the high interest rates with our reserves, is that pot of money that we do not seem to have any of, what sort of a bonus do you think you will get during the fiscal year from both those resources?

Deputy I.J. Gorst:

Let me just clarify, firstly, that of course the Strategic Reserve is intact and the old age pension pot is intact. Those 2 elements of reserve alone stand at over £3 billion, so let us not pretend that those reserves are not in place. Will there be an increase in G.S.T. arising out of the change to *de minimis* and the large offshore retail registration and charging of G.S.T.? Yes, we expect there will be. As we see those increases in G.S.T. coming into the coffers, I would expect that they provide the vires for the Cost of Living Ministerial Group to think about other appropriate interventions.

7.3.1 The Connétable of St. Clement:

What I am referring to is that because the cost of living is so high, the amount of value taken from expenditure from the public would be greater than normal. I am asking how much greater that will be to the Exchequer and also because interest rates are higher one would expect that the investment that we have, the £3 billion wherever it sits, would have a greater return. I am asking what that greater return will be in the fiscal year.

Deputy I.J. Gorst:

We do not calculate that in an ad hoc way, as the Constable will know. The Fiscal Policy Panel were on Island last week and they were doing their analysis of the economy and considering exactly those matters that the Constable refers to. For us there is a slight irony, with increased interest rates means that it is more difficult for Islanders and for families but it can, because of the structure of our economy, mean that there is a greater tax take into Treasury. What happens is the Fiscal Policy Panel deliver their economic assumptions and those economic assumptions are then reviewed by the Income Forecasting Group and they then start to answer the questions going forward that the Constable is asking. All of those answers will be available in the run up to the Government Plan debate.

7.4 Deputy R.J. Ward:

Given that the absent Chief Minister is on record of saying that she regretted not voting for landlord licensing last time, can I ask the Acting Chief Minister whether the process of collective responsibility will be enacted for the Ministers and Council of Ministers in a vote on this landlord licensing proposition coming forward?

[17:45]

Deputy I.J. Gorst:

As I have said, I understand that this proposal has come forward by a majority decision. It is a nice trap that the Deputy laid for me but it would not be appropriate for me acting to comment in response to that question; that is a matter for the Chief Minister.

7.4.1 Deputy R.J. Ward:

I take issue with the idea of a trap. This is about the transparency that this Government has talked about from day one. Let us be transparent with this Assembly. Can I ask the Minister, has he, as a Minister, been told that he will vote with collective responsibility with other Ministers in support of landlord licensing brought by his fellow Minister to this Assembly this week?

Deputy I.J. Gorst:

As I have tried to indicate, I was not at the Council of Ministers when they last discussed this matter, so I am not aware of whether that conversation was taken or not. I am a supporter of the Government and I believe it is appropriate that Ministers do support fellow Ministers in what they are bringing before the Assembly. But of course we know that with any form of collective responsibility Ministers may have had commitments in their manifesto, they may have had long-held and standing views which allows them to have a conversation with the Chief Minister, so they are going to vote a different way and that is the form of Government that we have.

7.5 Deputy S.Y. Mézec:

It is to build on what Deputy Ward has just asked the Acting Chief Minister and it is just so he can be absolutely clear and transparent with us whether he has received any instruction, given that he was not at that Council of Ministers' meeting and so must have had a subsequent discussion to it, whether he has been informed that collective responsibility applies to this proposition and Ministers are formally requested to vote in line with it.

Deputy I.J. Gorst:

Of course I am not aware of having had any such instruction. But I think that the proposal that the Minister for the Environment has brought forward is a refined proposal and is different from the previous proposal. It certainly has greater support round the Council of Ministers' table. While I do not want to dull the excitement that tomorrow might bring with the votes, it is my intention to support the Government.

7.5.1 Deputy S.Y. Mézec:

I am obviously delighted by the last part of that, it will be nice to vote together with the Deputy on this one for once. But can we take it from the earlier part of his answer that there has been no formal instruction given to Ministers that collective responsibility applies to this proposition, seeing as he seems to have not been given that instruction himself? Can we take it that other Ministers were not either?

Deputy I.J. Gorst:

I said I was looking forward to supporting the Government back at the intervention of the Deputy, in the way that he is now going to vote makes me reconsider. **[Laughter]** As I said, I have had no such instruction and nor am I appraised of any conversations that the Chief Minister may have had with colleague Ministers.

7.6 Deputy M. Tadier:

It really does not seem credible or certainly politically savvy that an Acting Chief Minister should come to the Assembly knowing full well that there will be questions from a well-briefed opposition at least on the landlord licensing scheme, which has been dominating, I think, some headlines and certainly email inboxes over the last few months, to simply stand up and say that he has not given any thought or he has not been briefed by the Chief Minister as to how the Government should act and vote on this issue. Given the fact that the Acting Chief Minister said that he personally will support this, could he perhaps outline the policy position around collective responsibility when a majority decision has been taken at Council of Ministers what the usual implication is for collective responsibility for that given proposition?

Deputy I.J. Gorst:

The Deputy knows that there is no formal legal collective responsibility; that was removed from the States of Jersey Law previously and it is now dealt with in the Ministerial Code and it is very clearly a matter for the Chief Minister proper, not an unbriefed Acting Chief Minister.

7.6.1 Deputy M. Tadier:

Does the Chief Minister think that it is politically damaging for the Government, of which he is a part, for him to say that he was not at a meeting where the landlord licensing was discussed, that the Chief Minister will not be in the Assembly during the sitting at which the landlord licensing will be debated and voted on, despite the fact saying that she wished she had voted for it last time and is missing the actual vote this time and that the Deputy Chief Minister is also not at the Assembly? Does this not smack of a Government which is asleep at the wheel or indeed not even on the boat, let alone in charge of the wheel, which the Assistant Chief Minister seems unwilling or unable to steer at the moment?

Deputy I.J. Gorst:

I know the Deputy is enjoying himself, much as I am, but he is conflating many issues. We know that the Chief Minister is neither on a boat nor on an aeroplane, she is representing Jersey at an international convention and I believe that it is right that she does that. Those of us remaining in the Assembly make our decisions based upon the proposals and legislation before us. The Minister for the Environment has made clear what the Government position is in regard to landlord licensing and I stand by that Government position.

7.7 Deputy M.R. Scott:

I wondered if the rapporteur is aware if the Chief Minister is taking time to have any meetings on Teams during her time in Rwanda and whether the possibility of even taking oral questions on Teams at a pre-allocated time had been considered?

Deputy I.J. Gorst:

I am not aware that it is because I do not think that is now possible under Standing Orders. I know that previously it has happened when we were in the middle of COVID but I do not think that that is now allowed under Standing Orders. If it is it is an oversight on my part and I take full responsibility for it but it is certainly, for my part, something which could be possible and maybe should be reviewed for future.

7.8 Deputy P.M. Bailhache:

Would the Acting Chief Minister agree that in a democratic Assembly the usual procedure is for Members to listen to the debate as it takes place and to form their judgment on the basis of the arguments that they have heard?

Deputy I.J. Gorst:

Of course the Deputy is absolutely right but in an age where we glory in this Assembly of having 3 parties represented, there can be a slight nuance to that, but that is the general approach that I would expect Members to have towards this Assembly.

7.9 Deputy M. Tadier:

Given the fact that if that is true, how is it that Council of Ministers issue comments and take positions ahead of proposals being even proposed in this Assembly when they have not heard the debate that is ensuing? How does he align that with the answer he has just given to Deputy Bailhache?

Deputy I.J. Gorst:

That is the convention. It used to be that committees would comment on particular propositions and now Council of Ministers submit comments on particular propositions as well. We are back to the acting, are we not, really because the reality is that on many more occasions in which the Deputy has criticised Government for providing comments as being inappropriate, he has criticised Government for not providing comments and that that is inappropriate.

7.9.1 Deputy M. Tadier:

It is not just the comments, is it? Often the comments are accompanied by the Government strongly urging Members to reject this proposition without having heard of course the arguments that are being put forward. Presumably it is okay for the Council of Ministers to sit together and decide whether they support a proposal before they have even heard the arguments on the floor of the Assembly.

Deputy I.J. Gorst:

It is certainly appropriate and that is the process that this Assembly expects. But even the Council of Ministers can from time to time listen to the debates in this Assembly and change their minds.

7.10 Deputy L.V. Feltham:

Could the Acting Chief Minister confirm that there is no anticipation of any further last-minute States business that could take Ministers or Assistant Ministers out of the Assembly this week and also that he will be expecting all Ministers and Assistant Ministers to be present for the votes?

Deputy I.J. Gorst:

I am not aware of any Ministers or Assistant Ministers who are due to be out of the Assembly during the course of this week but I may not always be aware of that. As the Deputy will know, events take place in Government and events can lead to Ministers and Assistant Ministers needing to be absent to deal with those events.

The Deputy Bailiff:

That brings this period of questions to an end. I invite a Member to propose the adjournment.

Deputy M.R. Le Hegarat of St. Helier North:

Propose the adjournment, Sir.

The Deputy Bailiff:

Does anyone wish to speak on that proposition? The Assembly stands adjourned until 9.30 a.m. tomorrow.

ADJOURNMENT

[17:56]