

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 19th SEPTEMBER 2007

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The Roll was called and the Deputy Greffier led the Assembly in Prayer.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

1. The Bailiff:

As agreed yesterday the Assembly will now proceed to the appointment of a Minister for Health and Social Services. May I remind Members that if they wish to propose a name they do not speak in favour of their candidate? They merely make the nomination and the same principle applies to the seconder. So far as process is concerned the candidates will each address the Assembly for up to 10 minutes and will then be questioned for 20 minutes. The Greffier will ring a bell after nine minutes to alert the candidates that their time is coming to an end and a final bell after 10 minutes.

1.1 Senator F.H. Walker (The Chief Minister):

I would like to nominate Senator Paul Routier as the Minister for Health and Social Services. **[Seconded]**

The Bailiff:

Are there any other nominations?

1.2 Senator J.L. Perchard:

It gives me great pleasure to nominate Senator Ben Shenton. **[Seconded]**

The Bailiff:

Are there any further nominations?

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

Yes, Sir, I would like to nominate the Deputy of St. Ouen. **[Seconded]**

The Bailiff:

Are there any further nominations for the Minister for Health and Social Services? Very well, there are three nominations. Perhaps I could invite Senator Shenton and the Deputy of St. Ouen to withdraw.

1.4 Senator P.F. Routier:

The position of Health Minister and Social Services is the biggest service provision responsibility in the States. The combined departments provide services to the public at times when they are expecting, and indeed need, a quality of medical care and social services. Today I want to give members an assurance that if elected I will put every effort into this challenging task. Members, of course, want to know what approach I would take in reviewing, supporting and challenging the existing policies and practices of the departments. Of course when I say departments it is very evident from the title 'Health and Social Services' that there are at least two very different functions. In fact, if you really look a bit closer you will see there are six functions. There is public health which provides what I think are vital preventative services and advice; medical surgical services which not only provide hospital services but also include the increasing demands for continuing care for older people; mental health services, including the alcohol and drug service, together with the Child and Adolescent Mental Health Service. Then, of course, there is social services generally for adults, children and people with special needs. Then finally comes the ambulance and patient transport services. As members know, this is a huge task which has a wide remit and my intention would be to ensure that all sections of the departments are given due attention. I would achieve this by sharing out these responsibilities with my Assistant Minister. Of course, with recent events in the area of child protection a high priority will be given to ensure that

the Williamson investigation is carried out effectively and speedily, and especially acted upon, in an appropriate manner. The public and service users need reassurances that the child protection procedures are effective and appropriate in today's settings. The professionals who provide the service will need, and receive from me, support and encouragement to provide this vital service to vulnerable children. I am sure members will also want from me an assurance that if any recommendations that require hard decisions to be taken in relation to policy or administration that they will be taken. I give that assurance. In saying that, may I express my thanks and support to the staff who provide a dedicated and professional service to these vulnerable children. As a general point about the Social Services Department, I am concerned that they have been left out on a limb and have not received the attention and regular political review and support that they need. If I am elected, social services will be given a very high priority which I will want to achieve with the Social Services Department. What I really want to achieve is something which I achieved many years ago with an organisation, Les Amis, which I am involved with. That organisation is a community living project for people with learning disabilities. We were awarded a National Care Home of the Year Award and that was given to us by Care Weekly and that was achieved because of the endorsement they gave to the policies we have which put the clients right at the centre of everything that we do. The service is there to support people in making life choices. It is not a service which dictates to the client the service that they receive. The philosophy is a challenge for service providers and is not easy to provide, but the clients must come first. This is a passion of mine and I would encourage the whole of Health and Social Services Departments to think in this way. I do accept that some may think that my involvement with Les Amis and Jersey Mencap could cause a conflict of interest as the Social Services Department does have inspection rights and service level agreements in place with both these organisations. I have considered this very carefully and very reluctantly decided if elected, and it would be with great regret, I would resign my voluntary positions which I have held for over 28 years. While speaking of voluntary and charitable organisations, it is vitally important to encourage and nurture these important organisations because they support the work of the States and they benefit the community. Organisations like Hospice Care do not call on the States for financial support but must be recognised and thanked. Joint working and co-ordination of services provided by Family Nursing and Homecare need to be reviewed in preparation for the growing need for community care. As we know, medical advances are being made at an ever-increasing pace and we will have to face the challenges this brings. I am very aware from my early involvement in the development of the *New Directions* document that there will be a need for the medical profession, whether it be consultants, junior doctors, nurses, GPs (General Practitioners), pharmacists and others to work in new ways. My intention will be to review the most recent drafted *New Directions* and sign off the document for presentation to the Council of Ministers as soon as possible, and then to the States early in next year. I am aware that *New Directions* will suggest that the Minister for Health and Social Services will work with the Ministers for Social Security and Treasury and Resources to find novel funding methods which could include us at the use of the social security health fund, which I support, and also the introduction of a funding mechanism for long term care. Fortunately I have already had some input into *New Directions* and if entrusted with this job I can say that I will hit the ground running. The opening today of the day surgery wing at the hospital signals the way in which patients can be provided for in a modern, appropriate and cost effective way. Any small community will never be able to have available to it all the specialities on our doorstep so we must ensure that we have links with centres of best practice outside of the Island. I will want to review the work that has been carried out on the proposed clinical governance model for both public and private medical practitioners to ensure that appropriate protection is given to patients. There is also a need to have in place an independent complaints procedure. Health and Social Services has many facets and I understand that Members will want in place a Minister that is prepared to fully commit to all the challenges that we are facing. It has been suggested by a member that I complete the extremely important income support proposals before I think about taking on another huge challenge. In fact, the Chief Minister, when he first approached me to consider the position, my immediate reaction

was that I need to complete that first. I have thought about that and have come to the conclusion that as the income support project is very near its conclusion I can achieve both things. The States have already debated and approved the main Law of income support and we will be debating the final regulations on 9th October. Once the Regulations have been agreed and amended, or not, we then move on to the implementation phase which is largely the responsibility of the department rather than the Minister. In order to move smoothly and quickly to the implementation of January, the department has already ensured that the necessary Orders, which the Minister would be asked to approve, have already been drafted to my satisfaction. Basically the Minister's job in relation to the establishment of income support will be done once the debate on the regulations has been had in a few weeks. But if the new Minister wanted any support in the future, I would be prepared to assist. In fact, if the new Minister wanted, I could act as rapporteur for that debate if needed. Sir, Health and Social Services is a big challenge. It has the largest budget and employs over 2,400 people in providing services which are valued by the public. I offer members my previous political experience of leading both Jersey Telecom and Social Security, my business experience, my social care expertise, and especially my enthusiasm for the job. I believe that I have the skills and experience to make a difference and I am prepared to serve the States and the public in the role of Health and Social Services Minister.

The Bailiff:

There is a period of up to 20 minutes of questions.

1.4.1 Deputy S.C. Ferguson:

As part of the work I did while on the Health Committee I worked out that there are some 8 levels of management between the Minister and the frontline services. How will you deal with this?

Senator P.F. Routier:

Certainly a major part of my initial work will be to get to know the departments extremely well. That is obviously with such a large organisation of 2,466 people currently, I know that there will be a need to review the way the department works. I will look at it very, very closely and ensure that if there are any overlaps or any need for review of the level of staffing, I am sure that we will come to a conclusion that we will have a service which is appropriate to the Island. I will not jump to any conclusions at this present stage, as the Deputy may have already done, but I need to look very carefully at what the situation is there and make a decision for myself.

1.4.2 Deputy J.A. Martin of St. Helier:

Could the Senator convince us why we should give him the confidence of this House to head up Health and Social Services at this time when they do face some criticism, whether or not it is founded, when he has already just mentioned he wants to leave as Minister for Social Security just before the implementation - which he has just stated is departmental - of income support, which has taken 10 years to bring to this House. He says the laws are passed but he seems to be jumping ship before it is proven to be working, Sir. Why do I have confidence in him in a new ministry?

Senator P.F. Routier:

It is something obviously I considered very, very carefully. As I said in my opening remarks, the political work of income support will be virtually complete - well, the Deputy is shaking her head but as far as the States' Assembly is concerned and the work that is required for income support, the Regulations will be debated by this House on 9th October, there will be some Orders which come after that, which the Minister will make, I have reviewed those orders and I am satisfied that those Orders are in a satisfactory fashion. I believe that, as far as the political input is concerned, the main part of implementing income support is completed, and I would very much welcome the opportunity to be Health Minister because I am somebody who likes a challenge and I am prepared to take on challenges and I am not afraid to work.

1.4.3 Deputy S. Power of St. Brelade:

My question is related to the Overdale site. If elected Minister would you be prepared to give the Assembly an undertaking that the whole of the Overdale site be kept for and used exclusively by the Health and Social Services Department and would not allow partial disposal of the site?

Senator P.F. Routier:

The Health and Social Services Department have a huge property portfolio and I recognise that that needs to be reviewed. I am unable to give the Deputy any assurance today because I have not had an opportunity, as he has, to have taken a view on the Overdale site as it stands alone. But I know overall the Health and Social Services Department have a very large property portfolio which should, in fact, be, as we know with all other departments, the property is centrally administered by Property Services and that is something which is for the benefit of the States, the benefit of the Island and the public. They should be considered under a single operation and so it is for the use for the whole of the benefit of the States in one organisation.

1.4.4 Deputy P.V.F. Le Claire of St. Helier:

Would the Senator inform the Assembly as to what his understanding is of proposals for a new system to pay for healthcare services in Jersey? Does he have an understanding as to what type of system would be introduced to Jersey? If he does have an understanding of what type of system would be introduced to Jersey, does he have any idea how much it would cost the ordinary person in additional monies to receive healthcare, if any?

Senator P.F. Routier:

I am not sure whether the Deputy has in his mind about the separation between primary care and secondary care. As far as secondary care is concerned, I would anticipate that we would still be able to maintain free secondary healthcare and that would certainly be my intention. When it comes to primary care, there is already, as the Deputy would be aware, a co-payment system for primary healthcare and within *New Directions* there are proposals, which I hope are still there, because I am waiting to review the current document, but certainly *New Directions* will point to doctors, GPs, consultants, nurses, all working in totally different ways, and if there are different mechanisms for achieving that for the public to access that, that will need to be reviewed. But certainly I am not aware of any great additional cost to the public of accessing services, and I would not want to see that be the case.

1.4.5 Deputy A. Breckon of St. Saviour:

Senator Routier said in his speech that he supports a funding mechanism for elderly care. I wonder if he could say if any work has already been done with his existing hat on at Social Security and if he could also say, Sir, how he would see it proceeding and when?

Senator P.F. Routier:

The Business Plan does have in that a requirement for the Social Security Minister to bring forward, together with the Health Minister, a proposal for elderly care. The work has not, as yet, started fully. I mean, it will start - well, as far as the Social Security Minister is concerned, once the political work of income support is completed we can then move on to that next piece of major work. I would hope that we would be able to bring something forward for public consultation in the early part of next year.

1.4.6 Deputy R.G. Le Hérissier of St. Saviour:

I wonder if the Minister could tell us how do you - bearing in mind what has happened recently - bring about changing an organisation and ensure that complacency and stagnation does not take over, while at the same time not necessarily undermining or destroying staff morale?

Senator P.F. Routier:

Thank you for that question. Certainly, not a challenge I have had to face in other places with regard to low staff morale but changing the work practices of organisations is something which I have been used to, and very capable of, leading. What you do is you review the services with the staff and discuss with them the way forward for the service, and you particularly speak to the clients to find out exactly what service they are wanting. It is a matter of asking questions, having regular meetings and discussing what the service should be providing, and the word I am looking for is empowering the staff. Empowering them to make decisions for themselves and making sure that they feel valued and able to carry out their job in an effective manner without feeling the need that they are being put on by the management. It is a matter of empowering the staff at all levels to ensure that they can carry out their jobs efficiently.

1.4.7 Senator J.L. Perchard:

Does the candidate see an opportunity for further involvement of the private sector in the provision of healthcare and, if so, why? And in which areas?

Senator P.F. Routier:

The private sector are fully involved in the primary healthcare of the Island and there is certainly a move for some of the services, for instance, the hospital provides. It is matter of where there is easier access for the public to get to the service. As *New Directions* will point to, there will be a new method for all of the medical profession to provide services in different ways. If the private providers wanted to expand their services, I certainly would not put a block in their way. If they felt there was an opportunity for them to provide a service commercially, well, that would be a decision for them but I would certainly not - the job as Health Minister I am not sure would be one to promote that but certainly not to put blocks in the way of a private company or organisation that wanted to provide services.

1.4.8 Deputy D.W. Mezbourian of St. Lawrence:

In his speech the Minister referred to himself being prepared to challenge the existing policies within the Department of Health and Social Services. Will the Minister tell the House how he has in recent times challenged any policies at all?

Senator P.F. Routier:

I am not sure it would be right to go into the detail of the particular policy that I have challenged but certainly I have challenged policies all along the routes of income support. It has been an issue which has very wide variance of views of how benefits should be provided and I would like to feel that, along with my Assistant Ministers, we have challenged the thinking all the way along the line. With the help of the Scrutiny Panel and my officers there have been very heated discussions. I believe that I have the ability to challenge those options that come forward and probably I have done more of that outside of the States than I have done within the States. When I think back to before I was in the States I would be challenging the Health Minister to provide services for people with learning disabilities. That is probably how I got involved in politics in the first place. So, I am not afraid of challenge and challenging policies and I think Members can make up their own minds whether I am capable of doing that or not.

1.4.9. Deputy G.P. Southern:

The Minister will be aware, because he has had them presented to him, that we believe the proposals that he is bringing forward for income support are inherently weak and structurally flawed. I believe he has accepted that there will be a need to refine and adapt and amend the proposals for years after their implementation. In summary, we believe a poorly designed structural reform, which this is, once implemented will be difficult to amend on the hoof unless the political

pressure to reform continues. Is it not the case that if he gets out now there will be no political pressure to reform to make the system work over the next five years? In particular, defects with the medical component of his income support which appear to fly in completely the opposite direction to the new thrust...

The Bailiff:

This is question time, not speech time.

Deputy G.P. Southern:

...of preventative medicine contained in *New Directions* will form a barrier to the successful implementation of *New Directions*. What does he say to that?

Senator M.E. Vibert:

Could I ask who "we" is please?

The Bailiff:

Let us not waste any more time.

Senator P.F. Routier:

The Deputy has raised issues with regard to his view and his panel's view on the proposals which are coming forward with income support. They have a different view to what myself and my Assistant Minister have. I believe that what we are bringing forward is an income support system which will be a major advance on what we currently have. The system that we currently have, as we all know, is not appropriate in today's world and what we are moving to is a far, far better income support system than we currently have. The Deputy says that it is flawed, the Deputy has that view, I have always said that this is a step in the right direction, and there will be further steps that will be needed to be made as the population requires further support in different ways. I believe that what is coming forward is appropriate and it is time for - perhaps even if the Deputy is not satisfied with what I have been providing with income support it might be better that I move to Health and Social Services, if that is what he thinks. **[Laughter]** So that somebody else can have another view, but certainly I am very happy with what I am bringing forward and it is appropriate with the funds we have available and the resources we have available, it is an appropriate income support system, which is far, far better than what we currently have.

1.4.10 Senator S. Syvret:

In media comments, shortly before he last challenged for this post some five years ago, Senator Routier made the comment that he felt that the Island's General Hospital should have the scale of its services wound down and it effectively become a glorified cottage hospital. Does he now accept that that view was profoundly wrong and will he commit to maintaining basic district general hospital scale services in the Jersey General Hospital, and if not, could he explain how the basic emergency functions would continue to exist?

Senator P.F. Routier:

I accept at that time that my views on the services within the General Hospital were different to what I have today. Certainly, I am very, very supportive of the work and the way the hospital has changed in recent years. I probably was not choosing my words very well five years ago, we have already seen the way that the hospital itself - at that stage, it was considering very heavy investment in upgrading the hospital and even when the new Chief Officer came along he reviewed it and decided to take a totally different route. The investment that was being called for at the time was rethought. Probably that was the theme, is what I was getting to. I was concerned that the money that was being poured into the hospital was getting out of control at that stage. But we have now seen a rethink during that period and, as mentioned in my opening remarks about the opening of the

Day Surgery Unit, that is a very welcome move towards modern day practices and I would say the way the General Hospital is heading now is an appropriate way forward.

1.4.11 Connétable T.J. du Feu of St. Peter:

Could the Senator assure members and the public, Sir, that he would investigate fully any concern or complaint brought to him as a result of serious matters that have been raised in the past week? Secondly, could he give us an assurance that he had no part in the previous plan or proposal that was going to dispose of Overdale?

Senator P.F. Routier:

Certainly with regard to the investigations which are going on into the serious matters with regards to child protection, as I said in my opening comments, I will be assisting in ensuring that that investigation is carried out thoroughly and if there are any hard decisions to be made, well, those decisions will be made. With regard to Overdale, as I said earlier, the whole of the Health and Social Services Department has a very large property portfolio and I will have to take a view on all of that at that stage when I have had an opportunity to look at the whole portfolio, when you consider things like St. Saviour's Hospital and a lot of the large property that is held. I think it is right to take a complete overview of the whole property section.

1.4.12 Deputy A.E. Pryke of Trinity:

In his speech he mentioned the voluntary sector. Under *New Directions* can he confirm that Family Nursing Services will still be able to provide a service from the birth to grave please?

Senator P.F. Routier:

As I say, I will be reviewing the *New Directions* document as soon as I possibly - well, if I am elected, I will be reviewing the *New Directions* policy, in particular, with regard to Family Nursing and Homecare. Their current service from birth to the grave is something which I believe needs a full review. I could not commit myself at this present time to understand because there is an overlapping of services between health -

The Bailiff:

Thank you, Senator, I am afraid that expires the 20 minutes time allowed for questions and for answers. Perhaps I could ask you kindly to withdraw to the Le Capelain Room and invite Senator Shenton to return to the Chamber.

Senator M.E. Vibert

Could I ask that the bell be rung 30 seconds before the end so that it allows someone to finish off rather than being cut-off in mid-sentence?

Deputy S.C. Ferguson:

Because we have had a cut-off for the first one, is that fair not to impose the same on the other two?

The Bailiff:

I do not think it is going to prejudice either Senator Shenton or the Deputy of St. Ouen if this practice is introduced for their questioning. For my part, I would not have thought it has prejudiced Senator Routier either, but it is a matter for members. It is certainly changing the rules halfway through the game, I accept that.

Deputy P.V.F. Le Claire:

I think for the expedience of the process, Sir, and for the avoidance of any future mutterings, maybe we just leave it as it is, Sir.

The Bailiff:

Could I seek some guidance from the President of the Privileges and Procedures Committee please?

Connétable D.F. Gray of St. Clement:

I would think, Sir, that as it has already been decided not to ring the bell 30 seconds before for the first candidate it should follow for the next two.

Senator M.E. Vibert:

Could I ask this is taken into consideration for future elections then, as I do not think it is very seemly that people are cut-off so sharply?

The Bailiff:

I am sure that point will be taken into account, Senator.

1.5 Senator B.E. Shenton:

I would like to thank Senator Perchard and Deputy Ryan for having the faith to propose me today and second my nomination. This is, in fact, the second time that I have put my name forward for the position. When you first join the States it can be quite daunting, as can your maiden speech. As luck would have it Standing Orders dictated that my maiden speech should be 10 minutes long as it was to lead the Corporate Services Scrutiny Panel. My speech turned out to be so good that I lost. Afterwards I asked one of the longer serving Members in the coffee room where he thought I had gone wrong. Why I had lost the vote. He said it was because I was too aggressive and added, jokingly I think, that I had frightened some of the Connétables. **[Laughter]** Today I will try not to frighten any Connétables. The election is for the position of Minister for Health and Social Services. I will deal with Social Services first as it would be easy to spend so long on Health that it gets neglected. I think this is part of the problem. When my wife and I dealt with the department as foster carers we found that there were some excellent staff with their hearts in the right place but they seemed to be suffering from a lack of resources. They seemed to be fire-fighting and the system was far from perfect. I was listening to Radio Jersey yesterday morning and an interviewee described our treatment of prisoners at La Moye as one of warehousing, kept in storage until released. I think this term could perhaps be loosely applied to the children's service. We deal with the problem until they are old enough to deal with themselves. Now, I am no child support expert. I do not know how to handle a 14 year-old boy high on drink and drugs or a 12 year-old girl with a history of self-harming, or a child suffering from a lack of self worth and angry with the world. But as the politician responsible it would not be my job to know how to deal with these cases. My job would be to make sure that we employ the best, the most qualified, and the most experienced people and then also ensure that they have the full resources to undertake this role. A little knowledge can be a dangerous thing and there is nothing worse than an opinionated politician if that opinion is based on unresearched advice or hearsay. I am delighted that we have two investigations underway in respect of the allegations raised regarding childcare practices. I was on holiday when the news broke and when Senator Syvret requested that I act as Assistant Minister I accepted in the knowledge that I had no predetermined ideas or views. Senator Syvret had perhaps firmly taken the side of the whistleblower, Senator Walker and the Council of Ministers had perhaps taken the side of the department, and impartiality I was in my opinion urgently required. If I became Health Minister I would let the investigations take their course and I will ensure that all recommendations are considered and, if appropriate, adhered to. If apologies are required they will be made. If other action is necessary it will be taken. There will be no hiding place. In my eyes every member of staff is treasured unless there is evidence to the contrary. The relationship has to be one of mutual respect. If the system is wrong it has to be changed. I met Mr. Williamson, and was impressed by his approach and I look forward to his findings. We need a fresh pair of eyes, a fresh look, an untainted approach. We need to get the trust of every employee in order to get the best out of them. Much of what Health and Social Services does is excellent. The facts speak for

themselves as far as the General Hospital is concerned. But like all large organisations there are some areas which need improving. If elected, my first task will be to identify what we are doing well and getting right and also those areas where things might be improved. Enhance what is good and set about changing those things we need to get better. The health service is possibly the most prized and cherished public sector service in the eyes of the public. Yes, we spend a lot of money on it but the people of Jersey know they get an excellent health service for the money. We know that there are some people, and indeed some States' members, whose overriding objective is to cut funding and investment. People who want to take the axe to public expenditure. While I am the first to say we must cut out waste, duplication and inefficiency across the States, that cannot mean cutting funding to the health service. The annual report of the Medical Officer of Health makes excellent reading and in some way points the way forward. Obesity, drugs, suicide, alcohol and terminations are all areas that need to be closely monitored. We need to reduce health inequalities through economic, environmental, educational and healthcare measures. Economic: independence to high employment rates, targeting benefits to the most needy. Environmental: making Jersey a place that is conducive to good health - the smoking ban, promoting healthy eating, exercise, targeting poor housing. Educational: a strong educational system, again promoting good health. Healthcare: we must address the inverse care law whereby poorer people get relatively less healthcare. The Island could be rightly proud of its health service. We have to continue to strive for consistently high clinical outcomes, consistently high patient satisfaction, dramatically reduced waiting times, the maintenance of a highly trained and dedicated workforce and balance budgets or even surpluses in spite of tremendous pressures. Under the Strategic Plan we need to meet the challenges of an ageing population. Better health for the people of Jersey and maintain high standards at all time. I do not know if criticising almost a whole Chamber is a good move when standing for election however the Health Department will need a fully independent complaints whistleblowing procedure and this will cost money. I do not like the idea that this independent entity will be run by the Chief Minister's Department. It has to be outside of this in some way. And here is the criticism. It will cost money to set up and run. Yesterday the Chamber seemed to take at face value the Chief Minister's words that it will cost nothing; was he saying that there will be no staff involvement, no secretarial support, no technology or stationery, no offices used? If it can be operated within existing budgets in the Chief Minister's Department then it must mean that his staff are under utilised and all the department is overstaffed. Do not always take things at face value: question, investigate and check. Question how you can set up a body at no cost. Question how it got accepted as an amendment. Turning to the Business Plan that was debated yesterday, the key objectives are dealt with in the Plan and are quite straightforward. I missed the debate due to a personal appointment made many months ago that could not be changed. This was not originally a States' day. It was always my intention to go through the *Hansard* of yesterday's debate with the Chief Officer in order that we can pull out any concerns or nuggets that may otherwise have been missed. It is always important to have an understanding of the views of others to see where they are coming from, and this is where the position of Assistant Manager and Scrutiny are so important. If elected I would welcome approaches regarding the filling of the Assistant Minister position. The role will be defined and we will work as equals. Within defined responsibilities the Assistant Minister will be empowered to do his work. Similarly, Scrutiny will be considered more as a valued friend than a critical friend or opposition.

The Bailiff:

Thank you, Senator. If you could resume your seat. I invite questions.

1.5.1 Deputy J.B. Fox of St. Helier:

The Senator talked about employment, the most qualified and the most experienced. Today we have a large careers fair at Fort Regent. Could you explain to me your views on training, especially local opportunities for succession planning and employing of local people to get that necessary qualities and experience?

Senator B.E. Shenton:

Well, obviously this is an area where the Health Department very much overlaps with the Education Department and with the policies of the States as a whole. I have always been slightly concerned that as a government we tend to hand out “j” categories a little bit too easily, and we do not tend to push local people in the right areas. I do have issues with the Education Department’s apparent fixation with getting high up league tables rather than serving what the Island needs best. This is an area that does need some work and it is an area where I have already spoken to the Chief Officer about because within the Health Department in some areas there is a lack of local talent to fill places and as a result we have to go outside a little too often. Having said that, I am also a great believer that people in Jersey should have experience outside the Island as well. So you are in quite a difficult situation because you want to keep the locals but you also want them to go away and get experience. The whole policy with regard the employment needs to be looked at again. As I said, it is an issue that I have raised with the Chief Executive and it is an issue that needs to be looked at. It is certainly something that will be quite high up in the priority list going forward.

1.5.2 Deputy S. Power:

If the Senator were elected Health Minister, would he give the Assembly an undertaking that the whole of the Overdale site be kept for the exclusive use of the Health and Social Services Department and that no portion of that site would be disposed of for other purposes?

Senator B.E. Shenton:

Most definitely. It is a valuable site. It is underutilised by Health at the moment but it does not mean that it will always be that way. We may see a point in the future where we need another nursing home or a similar facility. Overdale is a great location and it has fond memories in the eyes of a lot of the Islanders. I think as a location, the location can achieve a lot when it comes to healthcare. The actual vista of the place, the feel of the place, can do an awful lot, not only for staff and patients alike, but just for the general feel of the place. It is a valuable plot of land and I would certainly ensure that it stays within the Health portfolio, albeit this is not the case with all properties in the portfolio.

1.5.3 Deputy S.C. Ferguson:

As part of the work I did while I was on the Health Committee I worked out that there are some 8 levels of management between the Minister and the frontline services. How will you deal with this?

Senator B.E. Shenton:

Professionally. I do not intend to go in as Health Minister to change everything in an instant. As I said before, you have got to enhance what is good and change what is bad. There is probably good reason why there is this level of administrative layer and, again, I would need to sit down and sort it out. But certainly I am not going to make promises that I am going to cut out this or cut out that, because it is not quite so simple. It is a very large department serving numerous areas, and because we are in an Island community we do not have the advantages of bringing in services from other areas or other towns or so on and so forth. So it is almost like a little city in itself. Because of the diversity I think you are going to have quite a complex management structure, but certainly I have a lot of experience in finance and working for large organisations, and different management models and so on and so forth, and it is certainly something that will be looked at and questions will be asked. But Rome was not built in a day and I certainly do not intend to go in there and change everything from day one.

1.5.4 Deputy A.D. Lewis of St. John:

In the past the Senator has been very critical of the ministerial system. If elected, the Senator would be inside the Council shooting out rather than outside shooting in. Will he be prepared to reconcile

his differences with the Council of Ministers and act in a collective and co-operative manner where necessary? With that I am by no means suggesting the Senator should suddenly become a yes man, far from it, but there will be times when a corporate approach will be necessary therefore can he assure the House that he would endeavour to work with the Council of Ministers in a constructive manner?

Senator B.E. Shenton:

Obviously I will work with the Council of Ministers in a constructive manner but at the end of the day I was elected as an independent and I will not go down the wrong road simply because everyone else is going down the wrong road. I have been critical of the Council of Ministers, without a doubt; on JCG (Jersey College for Girls), on the original university fees plan, on various other issues. But I do not think I was wrong in being critical and the difference will be that I will raise my criticisms within the Council Chamber as opposed to within this Chamber or to the press. But I think collective responsibility only goes so far. We do not have a party system and at the end of the day I have to be true to myself and true to the public that elected me. So I will always voice my concerns and I will not always toe the line, but maybe I will be a little less vocal when I do, Sir.

1.5.5 Deputy R.G. Le Hérisier:

Could the candidate tell us what his analysis of *New Directions* is? Is it a report that he, in general, supports and, if not, why not? Is he surprised at the absence of a financial supplement to the report because that, in a sense, is where the whole essence of the report maybe should look?

Senator B.E. Shenton:

The *New Directions* report still needs work to be done. I think in the first draft it forgot about Social Services all together. Secondly, I read in one of Senator Syvret's notes that cost was the elephant in the room in as much as it was the one thing that no-one had looked at. Too often, I believe, as a States' Chamber, we ignore the basic principles of business which everything costs and you have to know what the costs are before you go down any route. So it is something - I mean obviously with a business background that is my strength and certainly I will not go down any road unless I know how much it is going to cost and whether we are getting value for money. This is partly where Scrutiny comes in. I mean, unfortunately I did not have time to finish my speech but I see Scrutiny very much as an asset to being a Minister and what I would like Scrutiny to do is work closely with me and look at policies because I would much rather be told before I set off down the road or when I have just started down the road that I am going down the road, than get all the way down there and then have to do a u-turn which could prove very costly and very embarrassing.

1.5.6 Deputy A. Breckon:

Could I ask the Senator if he supports an insurance based scheme to help fund elderly care, and if he does, why?

Senator B.E. Shenton:

I think I have mentioned on more than one occasion, a bit like Deputy Fox mentions in a previous life, that I am on the board of the Channel Islands Co-operative Society and one of my fellow board members is Peter Roffey, who is the Health Minister in Guernsey. I often have chats with him about this very issue because it is a scheme that Guernsey have brought in quite successfully. I am in favour of it because it does provide insurance and it also provides a bit of certainty for people as they get older that they will be able to leave their possessions to their children and their children's children. It is a road that we need to go down. Perhaps the only reason we have not gone down it so far is because of all the other fiscal changes that we are bringing in that perhaps it was one too many. But certainly it is something that needs to be addressed and it certainly needs to be addressed over the next few years. I am not up for re-election for another 4 years so if I am fortunate enough

to be elected as Health Minister I would hope to carry on the job and I would hope to make sure that it is brought in before my next election.

1.5.7 Senator M.E. Vibert:

I wonder if we could be informed what relevant experience, political and otherwise, will the candidate bring to this vitally important post as political head of the Island's largest States' department.

Senator B.E. Shenton:

I think one of the things I will bring to the post is the fact that I am not tainted by the way things are done at the moment. The role of the politician is very much as a strategy at a macro level. It is not down to deciding what goes into goodie bags at the Battle of Flowers. You have to act almost as a non-executive director would act on a board. Ultimately you are responsible and you have to take that responsibility. But you pay people to manage and you pay them a lot of money to manage, and you have to let them get on and manage. The role of the politician is very much more of a hands on a tiller, make sure you are going in the right direction, and make sure everyone is on your side and rowing with you. I think the qualities I bring are almost 30 years in business. I was working out how many years I had been in business the other day and got quite depressed because I had not realised it was quite so many. Working for big organisations like Barclays or UBS you have got a lot of people under you and you are working with a big ship, and the same with Health. It is a vitally important role and it is a vitally important department. There is a lot of staff and a lot of money spent on it, and you have to make sure the money is being spent in the right way and you have to make sure that the staff have your support and can respect you and can talk to you openly and honestly.

1.5.8 Deputy J. Gallichan of St. Mary:

We know that this department covers a vast area and early on in his speech, and perhaps in some of his answers, the candidate seemed to hint that there had been, or could easily be, an imbalance in the attention paid to the social services side. Can he please expand on his ideas of how he would use his Assistant Minister to ensure a more even approach in the future?

Senator B.E. Shenton:

I do get the feeling that the social services side has been neglected to a certain extent over the years. It is not an exciting issue, it is not a sexy issue or anything like that. Some of the comments I have had back from members of the business community about why we are bothering is quite disgusting, to be honest with you. What I want to do is make sure that there is someone, whether it be the Assistant Minister or myself, that has a defined role with regard to social services. There is a lot of work to be done there. I am fairly confident on the health service side that we have a very good hospital, and although things like independent complaints' procedures and a few other things need to be sorted out, I am fairly happy with that. I have got major concerns on social services. As I have said, I have seen it from the other side. I have not got an Assistant Minister in mind so I cannot say: "Well, the Assistant Minister will be given this role and will be responsible for Social Services" because whoever approaches me may have different ideas where they want to concentrate their resources. I think that you get more out of someone if they want to do the job. But it is an area that needs to be closely looked at. I have spoken again to the Chief Executive about this and to be honest he agrees with me to a certain extent, that perhaps it has not had the focus it has had before. It does not mean that I am going to come running to this House for more funding or anything like that. But I do think we need a review from the bottom up of what we are trying to achieve when we are looking after this area and the best way to get the best out of the system, to get the best out of the people in the system, and most of all to do the best for the children that get caught up in it.

1.5.9 Deputy P.V.F. Le Claire:

Would the Senator give us some examples of thinking on his feet? The Medical Officer of Health's report identifies that dental decay is one of the most easily preventable causes of disease among infants. Given that we have examples within the Medical Officer of Health's report of a concern for dental care how would the Senator promote better dental care and better examples of dental care, perhaps with the private sector, in achieving greater dental health for the Island's children?

Senator B.E. Shenton:

This was the question I hoped no one would ask because it is an absolute conundrum. There are a lot of people out there that do not go to the dentist simply because they cannot afford it. Certainly I have just had a bill through the door for Grace, my teenage daughter, that is not cheap, to say the least. I tried to get her to have wonky teeth but she would not have it. **[Laughter]** Just like her dad. It is an area which we can only really address through expanding the dental service, the States' dental service, because the costs of the private dental practitioners are fairly high and I think it would be difficult for them to bring their prices down. It is an area where the State can provide, but again perhaps the States should only provide for those that cannot afford, and this is again where inter-departmental consultation arises because I would need to have a chat with whoever is the president of the Social Security Department and look at income support and see if we can have an aspect of income support going towards dental care.

1.5.10 Senator S. Syvret:

Would Senator Shenton agree with me that while much of the content of the draft *New Directions* document is very good the problem with it at present is what is not in it? Would he commit to making sure that the *New Directions* document meets some of the criticisms I have made of it and that it does, in fact, fully integrate the social services side of things; that it has specific chapters on social services, specific chapters on child welfare and specifically a chapter on the costing and future funding options for the Island's health service? Will he commit, in particular, to making sure that child welfare and child protection are integrated into the document?

Senator B.E. Shenton:

Most definitely. The *New Directions* document is an excellent document but in its current format it is little more than a marketing idea or a philosophy. We need to get the costings in there. We need to find out where money should be prioritised. It is all right saying: "Oh, we are going to do this, this, this and this" and everyone is going to be happy, and three years down the line nothing happens. But we have to look at it and say: "Are we putting the money in the right places? Are we focussing on the right areas?" Yes, we do have to include social services in it, in a big way. And we have to include health prevention and education in a big way. But everything has to be costed. As I said earlier, yesterday this House voted for a complaints procedure on the basis it would not cost anything, which is quite ludicrous. You have to be realistic, and there will be areas which perhaps we will not be able to put the money to, but having said that, we have got to do the best we can and we have got to make sure we treat and look after everyone on the Island to the best of our ability.

The Bailiff:

That I am afraid concludes the time allowed for questioning of the candidate so perhaps I could ask Senator Shenton to withdraw to the Le Capelain room and invite the Deputy of St. Ouen to come to the Chamber.

1.6 Deputy J.G. Reed of St. Ouen:

I recognise that the position of Health Minister is an extremely important one and I would not be offering myself as a candidate if I did not believe that I was capable of holding such a position of responsibility. I was a member of the Housing Committee for three years under the presidency of Senator Le Main who encouraged all members of his committee to play an active part in the day to day running of that department. This included working both at officer level and at the coalface

where one met regularly with the many individuals who came into contact with that department. This area I particularly enjoyed as I believe that dealing with the individual and addressing their concerns is one of the important elements of being a States' member. While on the Housing Committee I was selected to be part of an inter-departmental group created to develop the draft migration policy. This group comprised of States' Members and officers from a number of departments, including Housing, Social Security, Education, Home Affairs and Economic Development supported by the then Policy and Resources Department, which is now the Chief Minister's Office. Here, I not only gained a background in policy development but an appreciation of the benefits co-operation between departments can bring. Currently I am the Vice-Chairman of the Public Accounts Committee, and also an elected member of the Chairmen's Committee. As a member of the Public Accounts Committee I have developed an understanding and knowledge of States' finances and the financial framework in which departments are expected to operate. Over time I have been able to develop a mutual respect with many Chief Officers who have appeared before the committee which will be of use to me if elected to the role of Minister. In contrast, time spent on the Chairmen's Committee has helped me to develop a better understanding of how both parts of government work and the involvement of Scrutiny in policy development and implementation. If elected I would aim to promote a greater degree of co-operation and understanding between executive and non-executive branches of government, as I believe mutual benefit can be gained from a closer working relationship. Equally, it is important the role of the Council of Ministers is clearly understood and that Ministers individually take responsibility for their departments and the delivery of agreed States' policies. I, for one, am prepared to do just that. Throughout my time spent in the States I have been able to develop an understanding, as I said before, of how departments operate and the responsibility attached to being a Minister of a department which given the opportunity I would like to put into practice. Apart from the experience gained as a States' member, I have also acquired a range of skills from running my own business which I believe will be of use in overseeing a department. I am used to taking overall responsibility and fulfilling a leadership role. However, I am also clear that true success can only be achieved from the combined efforts of all those involved in the process. This is of relevance whether in business or providing a public service. Teamwork is the key, and this is the ethos I would bring to the Health and Social Services Department if elected to the post. I am used to making decisions and being accountable for my actions, and would aim to encourage others in all positions of authority, whatever job that they are undertaking, to do the same. As a States' member I have endeavoured to work hard and prepared to commit fully to whatever task I have been selected to undertake, and I hope that members will respect that. My aim, if elected, would be to encourage greater openness and accountability within the department in order to increase the public's trust and confidence in the services provided. During recent times I have been saddened by the way certain issues have clouded the excellent work carried out by many individuals employed within the Health Department. I will do all I can to restore the good name that the Department and its staff have worked hard to create. I do not presume to know the detailed workings of the Health and Social Services Department. However, if elected, I will, over the next three months, commit not only to meet with the many individuals responsible for delivering the numerous services provided but also to personally develop my own understanding and knowledge of the many functions carried out by that department. I am well aware that the proposed *New Directions* health strategy is being and has been developed by the department and, as such, my first priority would be to ensure that all States' members and the public have a chance to properly consider this important document. Meaningful dialogue needs to take place between all interested parties prior to the States' debate on the subject. Existing service providers, including general medical practitioners, charitable organisations and the many non-States' funded bodies must not be overlooked in the process if we are to ensure that the services provided by the department continue to be fit for purpose. The public too must be able to participate as ultimately it is they that must surely benefit the many changes proposed. As I said earlier, the Health and Social Services Department not only provides acute care but also a whole range of care in order to protect the general wellbeing of our community. I would like to see a well

co-ordinated, an inclusive Social Services Department, with working relationships between other departments strengthened and further developed. Better co-ordination of services between departments and other bodies must be encouraged if we are to gain the greatest use of the facilities and services that are available. I am aware of the importance of our frontline staff and the valuable contribution they play in delivering the multitude of services provided. The issues of vacancies within the Department also needs to be addressed to ensure that we are providing full and proper support on the frontline. These are just some of the issues I would like to address if elected to the position of Health Minister. Finally, I am aware that being responsible for a large department such as this requires more than just one individual to oversee the department. In my opinion I would expect not only to be supported by the Department's staff but also at least one Assistant Minister who would be expected to play an active part in the overall overseeing of the department. I would also aim to work closely with the Health and Social Services Scrutiny Panel to ensure where possible that emerging issues are identified and dealt with in the proper manner. I will operate an open door policy in order that States' members themselves can raise concerns directly with me when necessary. All I ask is that members will give me a chance. I know that I might not be the best public speaker but what I can offer is full commitment to the job if elected to it. I would like to thank you all for listening to me and I look forward to answering your questions.

1.6.1 Deputy J.B. Fox:

The candidate referred to the services provided by the department must be fit for purpose, and clearly one of these is experience and qualities of its staff. I wonder with the large trades fair going on today perhaps the candidate would indicate how he would ensure the best training and the services could be provided for local candidate training, succession planning and obviously bringing in the required staff that is required in such a complex operation such as the Health and Social Services?

The Deputy of St. Ouen:

First of all, I would expect that already policies are in place to ensure that we are providing the correct training for our staff. But equally what I would like to do is to encourage new people looking at a career in health to be aware of the wide variety of opportunities that exist within the overall department, and encourage them that whether it is a nurse, whether it is a social worker, whether it is a doctor, that they are all extremely worthwhile careers to pursue.

1.6.2 Senator S. Syvret:

The Deputy has made his political position very, very clear on many occasions since he has been a member of this House in terms of wanting to cut back and roll back public expenditure. Does he accept that the Island's health service will continually need investment and growth in its funding? How does he reconcile a positive answer to that question with these previous political views? And if he believes that the funding for the Island's health service could remain static or even be cut, quite uniquely, could he point at any health system anywhere else in the western developed world that has undergone such a thing?

The Deputy of St. Ouen:

I will try to cover all of the points but if I do not perhaps the Senator will remind me of the questions that I have not answered. The first point that I would like to make is, absolutely. I fulfilled the roles that the States have given me to do. On Housing I was absolutely and utterly totally committed, and still am I hasten to add, ensuring that our housing standards met the needs of the community. I have been elected to the Public Accounts Committee and tasked with a job of controlling and overseeing States' finances and I hope I have proved that I have come to fulfil that task again to the best of my ability. If I am elected to the position of Health obviously one of the main issues, and it will always be, as the Senator has quite rightly pointed out on many occasions the issue of funding. We have a serious problem that we need to address and that is that we have

got a relatively small community of 95,000 and we are trying to provide a health service which meets all of the requirements for a relatively small group of people. I am totally also aware that one of the issues that must be to the forefront of any new policy and included in *New Directions* is the funding issue. We need to resolve this problem. We also need to be honest with people if we are unable to perhaps meet some of those expectations or at least make them aware of the associated cost of doing it. I know I probably have not answered all your questions.

1.6.3 Deputy J.A. Hilton of St. Helier:

As a follow-on from Senator Syvret, I was going to ask a question along the same lines. As Deputy Chairman of the PAC (Public Accounts Committee), if they are successful today in cutting States' expenditure across all departments, this will in effect mean a cut of over £3.5 million for Health and Social Services next year. What I would like the Deputy to tell the Assembly is exactly where he thinks he will apply those cuts in the Health and Social Services Department when you take into consideration we have an ageing society and that the demands being placed on that department are growing year-by-year.

The Deputy of St. Ouen:

Let us make it perfectly plain, it is not me as a States' member that will determine whether or not the Health Department's budget is cut or whether it has increased growth. That is a decision that is totally the responsibility of this Assembly. That is the first point. The second point is that as a Health Minister I will be required obviously, whatever the States' decision, to work within the budget allocated to me. Furthermore, part of the role of the Council of Ministers is to discuss and prioritise spending and, if necessary, the reallocation of funds. That is another route that I would pursue. I do not think I can add anything to that.

1.6.4 Deputy S. Power:

If the Deputy were elected Health Minister, would he be prepared to give the Assembly an undertaking that the whole of the Overdale site be kept for use by the Health and Social Services Department exclusively and that no part of that site be sold off?

The Deputy of St. Ouen:

I believe it is absolutely essential that the whole issue of residential care needs to be properly addressed and continue to be addressed because of the issues that we are facing with our aging population. I would certainly undertake to ensure that all health property is used and maximised to the benefit of the community, and if it means that the Overdale site is the best site to provide facilities for our community, then absolutely I will be supporting the maintenance of that site.

1.6.5 The Deputy of St. Mary:

Although the candidate corrected this in his speech, he initially called the post he was standing for as a Health Minister. Can he acknowledge that in the past Social Services have been overshadowed by health, and how does he see himself addressing this balance operationally and politically?

The Deputy of St. Ouen:

I must apologise for using abbreviations. In my speech I highlighted the fact that Social Services do need an actual higher priority than perhaps they have had in the past. As regards the budget and how much can be spent, I think there are a number of issues that need to be dealt with. The first one is that discussions need to take place with the officers of that department to see how the monies are allocated between what I call acute care and the secondary care which is the Social Services. I am also aware that there are quite a lot of other departments that are involved in providing certain bits which add up to the Social Services care and the general services that we provide to our community. I really want to look at that and see whether or not we are delivering those services and we are making the best use of all available resources which are shared between those departments.

We have got some superb people who I am well aware of that work within these departments who, at times, get frustrated by the lack of co-ordination between different departments. I would definitely aim to address that issue.

1.6.6 Deputy R.G. Le Hérisier:

On the lines of finance and staffing constraints, would the candidate outline, given his previous views, how he would embark upon a study to see whether staff were being utilised to their optimum within the health service, and secondly, Sir, what are his ideas on the future financing of Health and Social Services? For example, would he look at public/private partnership?

The Deputy of St. Ouen:

Let us be quite clear, a Minister is there to guide the department. The Minister is supported by many individuals - experienced and qualified individuals - who support him in his work. The first thing is, regarding finances, there would be an expectation that the department staff would have a clear grasp on the financing of that department and be able to give me that explanation. I said before that I do not purport to understand the workings of the Health and Social Services Department. My commitment to you is, as I say, within a three-month period I will be able to understand properly the department and all its services. Accountability comes and we already have it in place within our Public Finances Law and the various Financial Directions that we have issued to ensure that accounting officers and other managerial positions within the department will be required to be responsible to deliver an efficient health service.

1.6.7 Deputy S.C. Ferguson:

As part of the work I did while on the Health Committee, I worked out that there are some eight levels of management between the Minister and the front line services. The effective differential for international companies is four or five layers of management. How will you deal with this?

The Deputy of St. Ouen:

I think "in time" is the short answer. I think there are a number of responsibilities and I am saddened by the fact that many States' members seem to focus on just the financial aspects of the Health Department. I accept that their funding goes with provision of services, but equally I think it is important that we deal with the more relevant issues of ensuring that the services are fit for purpose. I am well aware of many of the issues that were raised yesterday by Deputy Le Claire and others including the fact that Social Services must be given higher priority. What about Family Nursing and Homecare? How are they contributing and are we getting the best out of that relationship? Better housing: we have not even touched on that today and the responsibilities that the Health Minister has to ensure and liaise with other departments in many, many aspects that affect this community. We have a real chance to make some important and improved benefits to the whole community. I really do want to take part in that. I am lucky enough I think that at this point of time within the Health Department is that the *New Directions* policy and the direction for the future of that department is about to commence. What better time to let someone who is hopefully keen, enthusiastic and hard working to have a go?

1.6.8 Deputy A. Breckon:

Could I ask the Deputy of St. Ouen if he supports an insurance-based scheme to help fund elderly care? If he does, why?

The Deputy of St. Ouen:

How do we fund the future of our health provision in this Island? I am sorry, at the moment I cannot tell you. Will an insurance-based scheme be the best option? I do not know. Should all options be considered? Absolutely. Do I expect the department and others to provide the clear options which we can discuss and debate? Absolutely. So, I am sorry I cannot give you a definitive

answer but I would certainly believe that when we come to discussing how we provide for health in the future, that all the options will be properly considered and that we will, as a whole, determine the right way forward.

1.6.9 The Deputy of Trinity:

As said, we are an aging population. How does the Deputy see the partnerships with the voluntary section and the funding of it, especially with Family Nursing Services and Brook?

The Deputy of St. Ouen:

I am not going to pre-judge anything. I think, as I said in my speech, that I firmly believe that we need to build and make use of and take advantage of the many agencies that are offering services on this Island. We have heard about Brook and our sexual health strategy and the work that they do to provide care for our young people. We hear about Family Nursing and Homecare; Hospice. We have got residential care, we have got homes for the elderly that we need to deal with and how best to provide for them. I am well aware, even in our own Parish, we were smart enough to build homes for the elderly many years ago and it is not me, but it was parishioners as a whole that aimed to provide that facility. However, I am now aware that we have got another issue that we have got people that would love and require to stay in their homes far longer and we encourage them to do so, but the actual homes themselves, and the facilities, are not fit for purpose. These are all big issues. I am not minimising the task that any Health Minister will face. However, I am aware of them and I will aim to (1) prioritise my activities to ensure that we deal with these things in a right and proper manner.

1.6.10 Senator T.J. Le Main (The Minister for Housing):

Why should the members of this Assembly vote for the candidate as new Health Minister who is a committed smoker outside the public gallery, and if elected, will he cease this disgusting unhealthy habit contrary to health policies? **[Members: Oh!]**

The Deputy of St. Ouen:

I suppose the one thing I can say is that I am not perfect. The other thing I can say is that I am an addict and I am aware that it is an addiction and, as such, it gives me a clearer understanding of other addictions. **[Members: Oh!]**

Senator T.J. Le Main:

Could the Deputy answer yes or no, Sir, to my question?

The Deputy of St. Ouen:

Will I give up? If my mother and wife and family are listening, they would be saying they have been encouraging me for a number of years. Do I want to give up? Yes, but sadly part of the addiction tells me that five per cent says: "Keep going." Will I perhaps take advantage of the facilities within the Health to try? Perhaps. **[Laughter]**

1.6.11 Deputy C.F. Labey of Grouville:

I am afraid I am going to pursue the financial aspect of what the Deputy has said so far. He said that it is not him as Minister but the States who will decide if the Public Accounts Committee's amendment is adopted. So, does he agree with his committee's proposition, and surely before bringing it forward his committee gave some consideration to how and where Health and Social Services and other ministries should find the millions of pounds expected of them in the proposition, and in this case £3.5 million?

The Deputy of St. Ouen:

I do not know how many times I have to say this but it is the States' decision as to how much money that we commit to health, and in fact, it is not even health. It is the overall expenditure of the States. The total sum. That is the decision that the States make. Allocations to departments, how the money is spent at the departments, is in part down to the departments themselves to organise. Do I think that the departments can manage with a reduced budget? Yes. I think that there is an ability to manage within a reduced budget. I will say this because my trust in the departments and Ministers is that they produced a three-year budget last year which we all signed up to. If the departments are saying to us, as States' members: "We can deliver within an agreed budget" then there is a requirement that we should expect them to.

1.7 The Bailiff:

Thank you, Deputy. Now perhaps I could invite Senator Shenton and Senator Routier to return to the Chamber. We will wait for the two Senators to return to their seats before the ballot papers are collected. I will ask the Deputy Viscount and the usher to collect the ballot papers. I will ask the Solicitor General and the Deputy Viscount if they would be kind enough to act as scrutineers. May I ask Members how they wish to proceed? I expect that the counting of votes will take three or four minutes. Do members wish to continue with the debate on the Business Plan and hear the Minister for Planning? Or wait?

Senator W. Kinnard (The Minister for Home Affairs):

I have a couple of answers to questions that were asked from yesterday so perhaps I could take up a little bit of time with those, with your permission?

The Bailiff:

Very well.

Senator W. Kinnard:

The Deputy of St. Martin asked me yesterday why there was no income shown for the line involved with the Explosives Officer, particularly in relation to explosives' licences. I have checked, Sir, that there is currently no licensing income although the new draft law which is going to update the 1970 Explosives (Jersey) Law will make provision for a fee for some licences when that law is passed. The Deputy of St. Ouen asked a question about the transfer of capital projects to Property Holdings yesterday and those were transferred, Sir, in January 2007. But in terms of the property revenue costs, Property Holdings have asked us not to transfer over any licences or leases of properties that we have at this time but there is general agreement that we will do so by the time of next year's annual Business Plan. Thank you, Sir.

1.7.1 The Bailiff:

I can announce the result of the first ballot. 16 votes were cast for Senator Routier, 22 votes for Senator Shenton and 11 votes for the Deputy of St. Ouen. It follows that the Deputy of St. Ouen falls out of the ballot and we will now proceed to a second ballot between Senator Routier and Senator Shenton. I will ask the usher to circulate the ballot papers. Again, I ask the Solicitor General and the Deputy Viscount to act as scrutineers. I have received a note from Deputy Le Claire about some ambiguity in an answer given by the Deputy of St. Ouen. Is that the matter you wish to raise, Deputy Le Claire?

Deputy P.V.F. Le Claire:

I did not want to interrupt the process, Sir, but during the Deputy's answers in relation to one of the Members, he mentioned my name as having given an answer to, or asked a question, and I just wondered whether the Deputy was referring to me yesterday or whether perhaps he had mentioned my name in error, if he did mention my name? Or how it came to be that he gave me as an example.

The Deputy of St. Ouen:

I gave it to show that obviously States Members care passionately about social services and many issues that are covered by the Health Department.

Deputy P.V.F. Le Claire:

Thank you very much.

1.7.2 The Bailiff:

Thank you very much. I call Members to order. I can now announce the result of the ballot for the election of the Minister for Health and Social Services. 27 votes were cast for Senator Shenton; 22 votes for Senator Routier. I accordingly declare Senator Shenton as being elected as Minister for Health.

PUBLIC BUSINESS

The Bailiff:

The debate now resumes on the Business Plan and we have arrived at the objectives of the Planning and Environment Department and I call upon the Minister to propose them.

2. Annual Business Plan 2008 (P.93/2007): Objectives for the Planning and Environment Department

2.1 Senator F.E. Cohen (The Minister for Planning and Environment):

2008 will be particularly challenging for the Planning and Environment Department with a number of key initiatives coming to fruition. I am determined to improve our performance, however, it is important to recognise that this is set against the backdrop of significant resource cuts in recent years and, in many cases, more than other departments. I want to promote a better environment and encourage the use of natural resources in a sustainable fashion. I want to promote better buildings encompassing better design that are more environmentally sustainable and are constructed of high quality and locally relevant materials. In 2008 we will be bringing forward new building regulations to ensure that our new buildings are significantly more environmentally efficient. I also intend to bring specific recommendations forward to encourage measures such as better insulation and the promotion of geothermal and heat exchanger heating technologies. Our key objectives and performance criteria span the range of the States Strategic Plan. I will draw attention to some of the more significant items. The efficient operation of the planning system poses some significant challenges in 2008. The introduction of the new Planning and Building Law has brought about a more robust and transparent planning process by which the public can become more actively engaged, but as a consequence workloads have significantly increased, particularly in the processing and administration of applications. It will be a challenge in 2008 to improve the planning process to deliver the level of service I wish to deliver. Partly at my suggestion the Comptroller and Auditor General is presently reviewing the department to identify key services and hopefully recommend improved efficiency and a better utilisation of resources. However, I feel it is unlikely this review will identify sufficient resources to enable me to deliver the level of service and the standards of buildings that I am determined to provide. I, therefore, will likely bring forward a proposition to the States aimed at providing a better service through the employment of additional planning and processing officers funded solely by raising planning fees for commercial planning applications. This would be combined with a new service level agreement providing for definitive and realistic determination timescales. However, I stress a decision to raise commercial planning application fees will be subject to the approval of the States. I am in the mid stage of completely reforming the Planning Department around the concept of promoting good design. In

this area we have promoted a planning officer to the position of Department Architect, introduced design supplementary planning guidance, and introduced an internal design review group. This process will continue during 2008 and we will shortly be publishing a good design guide to assist applicants to understand the standards that we now wish to promote. Furthermore, we will be working to integrate into the design objectives the recommendations of the recently published excellent Scrutiny Report on design of homes. I look forward to other key reports that will emerge from this Environment Scrutiny Panel and I hope we will continue to work together to improve the standard of new buildings in Jersey. 2007 was a key year for the Waterfront. The Hopkins proposals gained support from WEB (Waterfront Enterprise Board) as they realised the benefits of the scheme including the hugely increased returns to the public purse. 2008 may be the definitive year for the St. Helier Waterfront. The Hopkins Master Plan is nearing completion and I hope to release this for public consultation in early November leading to a States' debate in the first quarter of 2008 to seek States' members endorsement. The Hopkins Master Plan will include three colonnaded public squares the size of three royal squares, in addition to a regenerated Weighbridge and Les Jardins public spaces. I would expect an application shortly thereafter and this will be subject to further public consultation and the first public inquiry under the new Planning Law. Local relevance and design is being assured through the newly constituted Waterfront design codes group involving a number of local heritage and design experts and the President of the Association of Jersey Architects. All the plans will be monitored by Hopkins Architects who, as I have said many times before, will be responsible for ensuring quality down to the door handles. Importantly, we will complement the Waterfront development with a range of planning measures to regenerate the historic town. Furthermore we will ensure that the retail heart of the present town is appropriately protected through the necessary planning controls. I must stress that it is vital that some of the returns being generated by the Hopkins Master Plan are invested in the existing town and I will be working with the Connétable and the task group to deliver this. A review of the Island Plan has begun. This will be managed in-house only using outside consultants for specialist areas. I have just established a States' members consultation group to ensure that all States' members have the opportunity to influence the Island Plan agenda and they have held their first meeting. The Plan will be subject to extensive public consultation and an examination in public by an inspector. This is a hugely significant piece of work as it will set the framework for the development of the Island over the next 10 years. In partnership with the Housing Minister I will very shortly be bringing forward a proposition to the States to include shared equity in the categories of social housing in the Island Plan, and subject to States approval, I hope the first new shared equity schemes will be delivered in 2008. In partnership with the Deputy of Grouville I will deliver the first fruits of the new percentage for arts supplementary planning guidance, and permits have already been conditioned to deliver art benefits totalling many hundreds of thousands of pounds. I remain firmly committed to the protection and management of the Island's heritage and conservation areas. I formed the Ministerial Registration and Listings Advisory Group to advise me on listings and this group is doing excellent work. We are currently reviewing the historic buildings listing system and this will shortly be ready for public consultation. Architecture Week in 2006 was enormously successful, bringing many of the world's leading architects to Jersey for the first time. In partnership with the Association of Jersey Architects, we will be holding the 2008 Architecture Week next autumn. This will be an opportunity to promote the work of local architects and to inspire Islanders. I will now summarise some crucial areas of environmental policy that will reach fruition in 2008. Work will continue to enhance Jersey's diverse working countryside as we implement the rural economic strategy and countryside renewal scheme and some 250 projects to improve the condition of habitats and species. I shall hopefully be implementing an Energy Policy following the consultation which we are about to launch. This will include measures to ensure that the Island's energy is secure, affordable and sustainable. Key programmes will include support for energy efficient measures as well as renewable energy sources. In partnership with the Treasury Minister I shall be taking the first steps to bring forward environmental taxes which need to be ring-fenced for environmental purposes. This new source of revenue will be targeted at improving

energy efficiency, increased waste recycling and more sustainable transport options as set out in the strategic plan. Eco-Active will continue to deliver my programme of environmental education and awareness throughout 2008 aiming to provide information to the community and in particular schools. In partnership with the Minister for Economic Development I will shortly be launching Eco-Active Corporate: an accreditation scheme to enable local companies to be recognised for their environmental standards. The 2007 waste management legislation will be implemented through regulation of waste operators and procedures will be implemented to reinstate the export of hazardous waste. I shall also focus on the necessary steps to bring the new Water Resources Law into force. My department will continue to promote a sustainable fishing industry. Animal health and welfare work will continue through our inspection service, the implementation of the 2007 animal by-products legislation and new shellfish monitoring measures. We will also continue to deliver the weather service for the Channel Islands, all sectors of industry and the community against a background of continued efficiency and cost savings. My department has a wide and challenging remit that influences many aspects of Island life. The Planning and Environment Department, while having one of the smallest budgets, is responsible for protecting our environment and ensuring that we create a legacy of better buildings and a well-managed countryside and coastline. I would like to thank my Assistant Minister, the Deputy of Trinity, for all her hard work during this year and I look forward to meeting the challenges of 2008 in partnership with her. I will be happy to answer any questions members may have. I propose the objectives.

The Bailiff:

Are the objectives seconded? **[Seconded]**

2.1.1 Deputy J.B. Fox:

A very detailed report; congratulations. It has improved over the year tremendously. The one area that concerns me though, especially in the urban area, is amenity space. One of the aims that is listed on page 86 is to ensure a better quality of life for everyone and for generations to come, but under objective 1: "(iii) High quality well designed buildings with a sustainable development framework for the Island" it talks about a high standard of architecture promoting new supplementary planning guidance published to include guidance on better quality buildings. Unless I have missed it somewhere else, should that also include the amenity space, especially where we are talking about life-long homes, et cetera? I would ask the Minister if he would kindly discuss that point.

2.1.2 Deputy R.G. Le Hérisier:

I am always a bit reluctant to be seen to in any way criticise the Minister because we are very supportive of the freshness and the energy he has brought to this portfolio. The cheque will be in the post, no doubt. But, Sir, the point I would like to make: I am very concerned, Sir, to hear yet again of increases in fees. We have gone down this route a few years ago where we were told the final solution, so to speak, had arrived in terms of planning, in terms of the provision of fast service, and yet this solution proved to be only temporary. I wonder if he could expand on the reasons why he feels he has yet to come to the clients to ask for more money. Secondly, the Planning Department did run - and I know still tries to run with difficulty - a fund for listed buildings for its finance. I have a slight interest, I must say, and I wonder, if he could tell us what he is going to do with that fund because I know it is encountering, again, the usual financial difficulties.

2.1.3 Deputy S. Power:

The Minister will be well aware that the Planning Department is the last bastion of defence for the protection of the fabric of the Island. The Minister will also be aware that there is an ongoing problem which I think he has himself identified on more than one occasion, and I have experienced as a Parish Deputy, of significant variations and applications to change or vary a planning approval.

This can manifest itself in loft conversions, increasing the height of a building, increasing the size of a building or increasing the square footage of a building. Can the Minister address this issue and can he give the Assembly an undertaking that his officers must bring significant planning variations to the senior officers, to the planning applications panel or to himself?

2.1.4 Deputy A. Breckon:

A couple of points: one is again that which Deputy Le Hérissier has touched on and that is the funding. There appears to be an imbalance between the income from some of the services that are given to people doing developments and the cost of doing that, and I understand from years ago that there was an element of user pay in this, and perhaps the Minister could explain why that perhaps has not caught up and if there is room to increase some charges or if there is something else that perhaps needs to be done? The other thing that the Minister mentioned, Sir, was sheltered housing and the reason I want to touch on that is - the question I want to ask is what information this will be based on bearing in mind that he has indicated that a projet will be brought forward. The question that flows from that is how will that fit into the review of the Island Plan or does it, in fact, precede it? It makes an assumption that the Island Plan is going to say something, that we must yield something, therefore, he is perhaps pre-empting what the Island Plan may say. He did refer to, Sir, I understand sheltered housing but I wondered if somebody could give a definition of that as opposed to over-55s lifetime homes, and I understand there is an element of first time buyer in this so perhaps the Minister could just touch on that, Sir, in his summing up and perhaps give some clarity to that.

2.1.5 Deputy C.J. Scott Warren of St. Saviour:

I would just like to ask the Minister to confirm that he will be working, not only with the other departments in the Parishes, but with the Environment Scrutiny Panel on the issue of lifetime homes; the design issues that we have had in the recent report from the Environment Panel. Also that the Minister is going to take due regard for the Medical Officer for Health's annual report, one issue of which is the space - people having enough space - and the due regard to the fact, because the Housing Minister yesterday said it was not his area when I asked this. He said it was within your remit: the issues covered in the Medical Officer for Health's report and the links between poor homes and poor health.

2.1.6 Senator J.L. Perchard:

The Minister's enthusiasm for maintaining old buildings and the original features of old buildings is well known to Members, architects, builders, everybody. How does the Minister balance the need to press down on the price of domestic property and the commercial realities of property development with those often extreme demands of the heritage lobby? May I ask the Minister to comment on the suggestion that the strict development restrictions imposed on the old JGC building cost the taxpayer in excess of £5 million?

2.1.7 Deputy G.C.L. Baudains of St. Clement:

Listening to the preamble of the Minister, it sounded to me as if he has a 10-year plan rather than a one-year plan; there is so much work that he outlined there. I notice on page 92 under "meteorology" the accuracy of weather forecasts will be a performance measure. I know they have a very difficult task to do but any increase in accuracy would be welcomed. On turning to page 91, Sir, there are a couple of issues I would like to quickly raise. Under "Environmental Policy and Awareness" I see at the top of that list is a progress against implementation of coastal zone management strategy. Now, the last I knew of this was that it was out to consultation. I presume that is now finished but I was concerned at the timescales - I believe that the Environment Scrutiny Panel were as well - that this appeared to be a duplication of work already underway under the Ramsar scheme so I wonder if the Minister could explain to me precisely what is happening there because it did seem to be a questionable use of resources. Returning to the issue raised by Deputy

Le Hérissier, Sir, we all recall the fact that planning fees were raised not so long ago substantially to enable the employment of more officers in order to achieve an improved service. Now we are told, as we have been recently - and he has repeated again today, Sir - that there are plans to raise planning fees again and substantially. What I am looking for is an assurance from the Minister, that this fresh rise in charges will not go the same way as the previous system, where the charges rose and the service still remains unsatisfactory. I wonder if we could have an assurance that the same thing will not happen the second time around.

2.1.8 The Connétable of St. Peter:

I would like to ask the Minister his views on introducing a development tax. I am loathe to suggest another tax but I believe that the Island has lost a considerable amount of space for vast speculative developments over recent years and indeed in the - not only in the countryside but over some of the town areas and the built up areas also, when great developments have suddenly descended upon us and it is purely on a speculative basis. I believe that there could be a considerable gain on there to offset the growing costs that the department are encountering to balance the two. Also, what has he in mind, if anything at all, with a view of progressive training within the department, and by "progressive training" I refer to hopefully encouragement of maybe the student that is going into the profession hopefully, and with a view very much of wishing to remain within the Island after they have gained their outside experience and qualification because I believe that there is a lot of scope possibly in that area but I do not think we are tapping that source at all.

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

I share the views of some Members who have spoken about their concern about the rise in planning fees and the fact that it is being promised on the commercial applications does not really take away from the fact that we all remember fees going up to pay for a whole lot of new officers in the department and rigorous new performance standards were introduced to justify that. I want to ask the Minister whether he would be prepared - and I have not discussed this with my fellow Connétables so I may get into a bit of trouble for suggesting it - to discuss with the Comité des Connétables whether there is a possibility of planning permits for certain applications being, as it were, decentralised? As happens in France, one goes along to the Mairie and one can obtain a certain amount of permits. I know that the urban parishes would probably come in for quite a heavy footfall and there would be resource implications for some of the parishes, but it does seem to me that it does seem to work, unless I have missed something about how French planning is organised. I would be interested to know whether he would be interested in pursuing that. I would certainly be happy to talk to him about it, and if that would avoid having to take on more staff - or at least as many more staff - and to have to hike up the planning charges, so well and good. The second question is just a minor one: he did say in relation to the Hopkins Master Plan that it would be an opportunity for the first public inquiry under the new Planning Law. Could he confirm that he has received from me a formal request for a planning public inquiry in respect of the proposed incinerator at La Collette?

2.1.10 Senator S. Syvret:

Just a few points: I am just - to touch upon that last speech, certainly could I ask the Minister not to, in fact, look at involving the Parish authorities in making planning decisions. The French model was mentioned and it is widely known that it is riddled with corruption and I certainly do not want such approaches to evolve in Jersey.

The Connétable of St. Helier:

I am sure that would not apply to the Connétables, Sir.

Senator S. Syvret:

I am sure it does not apply to the Connétables, Sir, but the fact is that I do not think we will even want to run the risk of people deciding planning applications put in by their cousin or their brother-in-law or whatever. I think the planning authority must remain a single planning authority for the Island and it must remain absolutely impartial and distanced from such local authorities. I would like to ask the Minister also if he could elaborate a little further on the energy strategy which there was a draft consultation document out at the moment. In particular, whether he could give an indication to the Assembly as to how urgent he considers the energy issues that confront us not only now but may confront us with much greater severity in the near future, possibly even within a few years. I do keep a watching brief on the subject and it would appear that certainly a lot of the oil liquids global oil production looks to have peaked in the years 2005 and 2006. There is still some growth in terms of gas supplies and so on, but as far as traditional liquid oils are concerned, it would appear that global peak production has been passed. The implications for this for modern industrialised human society could be dramatic to say the least, and I think we really need to make sure we are having a sufficiently robust and far-sighted energy strategy that will enable us to ameliorate - because that is all it could be - the impacts upon us of that kind of global energy crisis. I would also like to ask the Minister if he could speak in a little more detail and with a little more commitment about the Town Park project, in that the approval of the built environment is something that the States of Jersey has generally been pretty poor at over the decades. One only need look at St. Helier or indeed look at the Waterfront to see the results of that, and it is time we reversed that policy and we started taking built environment a lot more seriously than we have done hitherto. The area of the Town Park has approximately 12,000 - quite possibly more than that now - people living within a five-minute walk of the perimeter of the site. It is in the very heart of the town - of the old town - and it is also in the very heart of what is the most densely populated and the poorest and most neglected part of town; part of Jersey in fact. I really think we have got to get a lot more serious and a lot more committed about making this project happen and I suggest really that we ought to perhaps set aside some of our utter obsession with the Waterfront and ancillary areas because not only is it taking up too much of the Island's resource and time, it is also acting as a shift on the centre of gravity of the town. I think we need to try and readdress that. We need to try and get some weight back into the heart of the town by making this kind of investment in the old part of St. Helier. Not only will it be good economically, not only will it foster economic regeneration in the area, but it will also, most importantly, be a huge improvement in the quality of the lives of many thousands of the poorest people who live in Jersey.

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

I understand that some years ago the late Deputy Norman Le Brocq instigated a fund for the maintenance of roadside granite walls. I wonder whether the Senator would let the Assembly know what happened to that fund, even if it still exists?

2.1.12 Senator F.E. Cohen:

I will try and answer all Members' questions and hope not to forget any question. Deputy Fox raised the issue of amenity space in urban areas; a very important issue. However, one of the things that Deputy Duhamel has taught me is that we do not all need to have our own individual amenity space and, in fact, many of the very successful developments he took me to see on a trip to Vienna - and a very useful trip it was and it taught me a great deal - was that by designing communal amenity space well, you end up with better community feel and a better space for all to enjoy. So, amenity space is absolutely essential. It does need to be carefully considered but it needs to be balanced with communal amenity space. Deputy Le Hérissier and a number of others raised the issue of fees. I am afraid I cannot help what has gone on before, but what I can tell you is that the current situation at the Planning Department is not sustainable. I cannot deliver the services I want to provide - that means high quality monitoring of design, ensuring we use high quality and appropriate materials and deliver a prompt service - with the resources I currently have. We have lost over £700,000 out of our annual budget. We have lost approximately seven full time posts and

I simply cannot deliver what the Island needs. That is combined with a period where I have raised the standards of design that are required so there is additional assessment required of virtually every application; the new Planning Law requires, quite properly, a more open process; the new Planning Law requires objections to be dealt with in a specific way. It all takes a great deal of time and really what happened was the law part of the planning improvements were implemented but the resources part was left on one side.

Deputy R.G. Le Hérisssier:

Can I ask a technical issue? If the purpose of the previous set of fees was to employ more staff and the staff have gone, why has there not been a commensurate reduction in those fees?

Senator F.E. Cohen:

I think that relates to the levels of recovery that are set, being 50 per cent on the planning element and up to 90 per cent on the building inspectors' element. I cannot give more precise details than that. If the Deputy would like more details I am certainly quite prepared to provide those for him over the next couple of days. Going back to the main point, I am now in a position where if I am to deliver what I have promised, I cannot do it - and I am satisfied I cannot do it - within the existing resources. Suggestions have been made, for example, that we are too heavy in one area and too light in another. You cannot make a Countryside Inspector into a Planning Officer. They are entirely different skills. We need more planning officers to deal with a higher level of applications that we now have to deal with and they take more time because I am imposing greater control on issues such as design. I am afraid you cannot have both. It will be the subject of a full States' debate. There are many issues that I am sure States' members will wish to examine during that debate, but all I can assure you is that I am absolutely satisfied that there is no alternative if I am to deliver a better service. I cannot help what happened before. I am not aware of the undertakings that were given previously when fees were raised but I can assure you that if I am to raise fees and if States' members are to agree to raise fees, that will be accompanied by a very rigid service level agreement that will make it very clear within what time periods applications will be considered and you will have my guarantee that that system will be implemented and will succeed. The other issue that Deputy Le Hérisssier raised was in relation to grants for listed buildings. That currently remains at £60,000 per annum. It is wholly inadequate. If you want to maintain listed buildings, if we want to take pleasure in the listed buildings that are in public and private ownership, we have to provide a reasonable sum to encourage people to protect, enhance and for us to enjoy those buildings and £60,000 a year is wholly inadequate, but I am afraid I have not got any more money. Deputy Power raised a very important issue. Consents by increments. Consents by increments is a traditional way of developers getting what they knew would not have been acceptable at the first stage. It is not an acceptable practice and it is something that we need to do something about. The problem is that every application is entitled to be considered on its merits and to be determined accordingly, but we are taking a negative view of developers who apply for one thing, then once they have got it, they apply for a bit more and once they have got that, they apply for a bit more and then they carry on and on and on. A particular example is, of course, the building of a home with a loft space that is very clearly designed to be accommodation and then lo and behold, as soon as the house is finished, in comes an application to convert the loft into habitable accommodation and to overlook the neighbours. We need to look very carefully into that and Deputy Power, who is a member of the Planning Applications Panel, can take personal charge of that issue [Laughter]. Deputy Breckon raised the issue of the user pays recovery. As I have said, 50 per cent on plumbing, 90 per cent on building inspectors' element. He also raised the issue of sheltered housing. How will we identify the demand? We will identify the demand, and we have identified the demand, as a result of the work of the Housing Minister. The Housing Minister has produced a list of requirements in terms of the quantum. We are dealing with that. We are not dealing with a precise science, let me make that very clear, but in relation to the sheltered housing proposition that we will be bringing forward, this will only be a small element of the total identified demand, so I think it is reasonable to assume

that even if there is some flexibility around the precise number the initial quantum that States' members will be asked to consider, they can all be well satisfied, is more than needed by the Island. I think that the amount of social units we are bringing forward will only be around half of the sum that the Housing Minister has identified as a requirement. Why are we doing it before the Island Plan? Well, we are doing it before the Island Plan because there is an urgent need. It would be very easy to put it on one side, to roll it up into the Island Plan review and to put it off for another couple of years. That would be the effect of not dealing with the issue now. However, the matter is urgent. There are elderly people identified by the Housing Minister who require urgent rehousing in appropriate retirement homes, so I think it is only right that we deal with the matter in a prompt form and that is why we will be bringing forward a proposition very shortly, after it has been through a consultation process. What is the definition of sheltered homes? Well, I prefer to call them retirement homes. I have my own view of the threshold for a retirement home particularly as I have just turned 50 but - and it is not 50. That will be one of the questions of the public consultation documents and let us see what the public's view on that important matter is. Deputy Scott Warren raised the issue of the design of what I would prefer to call retirement homes. The Deputy of Trinity is responsible for dealing with the sheltered housing issue. She has produced a long list of requirements ranging from high thermal insulation to broadband internet connections and you can be assured, in her care, that we will be proposing only retirement homes of the very highest standard. Senator Perchard raised the issue of increasing prices of domestic property. Increasing prices of domestic property, in my view, is not as a result of anything that is going on in the Planning Department. This is a natural function. It is happening all over Europe, of supply and demand, of booming economies and of more people being able to get on the housing ladder. It may be interesting for members to note that at the last count over 1,300 units of accommodation will be completed over the next two years. A significant number of units of accommodation. He raised the issue of the heritage lobby. Well, if you want to damage and if you want to pull down heritage buildings, I am afraid you have got the wrong Planning Minister. One of the objectives I set at the start was to do everything I possibly could to protect the best of our heritage buildings. I do understand that there may be one or two on the list that perhaps would be better removed from the list. Each one will be reviewed, at the appropriate time, by the ministerial advisory group that sits independently of me, but I am determined to preserve, to improve and to do everything I can to leave a legacy of our heritage buildings properly cared for. As far as Jersey College for Girls or the Ladies' College is concerned, I do not know where the figure of £5 million has come from. I think that the scheme that Marcus Binney and Kit Martin came up with, which is to regenerate the historic building into very fine, and I presume much sought after, apartments was an excellent scheme. I would have thought it has improved the value of the property rather than reduced the value of the property and I am perfectly satisfied that the building more than warrants retention and attention. Deputy Baudains raised the issue of the accuracy of weather forecasts. While one or two of us may prefer to ask Deputy Baudains for his view on the weather forecast and may find it more accurate than the more scientific methods, the fact is that the scientific method is the one that the vast majority of services require and I am satisfied that the Meteorological Department provides an excellent service. They work enormously hard and we should be very grateful to them. The coastal zone management plan, this is being integrated into the Island Plan review where it relates to the development on the coast and, of course, Ramsar only relates to a very small proportion of our coastline. The Connétable of St. Peter raised the issue of development land tax. I am very glad he raised that issue because it gives me the opportunity to say that I am fundamentally against the principle of any form of development land tax. It was a disastrous tax introduced by the Labour Government in the United Kingdom and it stagnated development for many years. It would be a disaster for Jersey. That does not mean there is not some case for some form of rezoning tax. Perhaps there is a case to consider, and I am not going one way or another on this, when enormous values are created out of the rezoning, particularly of agricultural land, perhaps there is a case for the public purse to share in it in some way or another. The Connétable of St. Peter also raised the issue of progressive training. Quite right. We should be doing everything we possibly can to

encourage local people who work, particularly for a temporary period, in the Planning Department and decide they are enthused by it and want to take it into their career. We should do everything we possibly can to encourage them. The Connétable of St. Helier raised the issue of planning fees. I have dealt with that. The decentralisation of planning, I would agree entirely with Senator Syvret's comments, in principle, in relation to that and I would not encourage decentralisation of planning and, yes, I can confirm that he has written to me suggesting that a public inquiry for the Energy from Waste plant would be appropriate. I do not have a view on this and, therefore, I have asked for advice to be taken from the Law Officers and I will get back to him as soon as I receive that advice. Senator Syvret, as well as raising the issues in relation to the decentralising of planning, raised the issues of the *Energy Report*. The *Energy Report* is going out to formal consultation and it will hopefully set the agenda for a greater concentration on renewable energy sources. I agree with many of his views in this area. We should be doing everything we can to reduce our dependency on fossil fuels and to promote renewable energies both at micro and macro level and hopefully that will come out of the *Energy Strategy Report*. The Town Park project, he wants a commitment. Well, absolutely. Everyone seems to be entirely committed to the Town Park project. I do not agree with him, however, when he says that this should be in any way to the detriment of the Waterfront project. The Waterfront project is a fundamentally important project for the Island. Much of the Waterfront is an absolute mess at the moment. By producing a cohesive and appropriate plan through the Hopkins Master Plan we can correct that and we can end up with a Waterfront that we can all be proud of and that is what I am determined to do. The Connétable of St. Brelade raised the issue of a fund for the maintenance of granite walls. I am afraid I have never heard of it and I will find out about it and I will circulate Members accordingly. I hope I have answered all members questions.

The Bailiff:

I put the proposition. Those members in favour of adopting it, kindly show. Those against? The proposition is adopted.

3. Annual Business Plan 2008 (P.93/2007): Strategy Objectives for the Social Security Department

The Bailiff:

We come now to the strategic objectives of the Minister of Social Security and I ask the Minister to propose them.

3.1 Senator P.F. Routier (The Minister for Social Security):

Firstly, I would like to thank all members who voted for me for the position of Health and Social Services Minister and also thank those who have said they were not able to vote for me because they wanted me to continue with being Social Security Minister. So, thank you to both parts of the House. I undertake this job and challenge with great enthusiasm as I think you are aware so I am very happy to be continuing in the position which I currently have. May I also congratulate Senator Shenton because he has taken on the challenge which I am sure he will enjoy and face up to and I look forward to working well with him in the future? So, the Social Security Department's key objectives are firstly to support people to achieve and maintain an acceptable standard of living. Secondly, to provide opportunities for higher skills and better employment. Thirdly, to help employers and employees to work together for the mutual benefit and the economy of the Island and also to deliver benefits and high quality services at all times. So, this Plan achieves those aims and maintains the full current range of social security funded benefits while looking forward to income support reforms next year. Subject to the States' approval of the final Regulations in just three weeks' time the new integrated income support scheme will be introduced next January. This will replace a number of benefits with the objective of introducing more fairness and equity and to ensure that the funds available are directed to those in most need. In terms of existing households, the Treasury and Resources Minister has made available £22.5 million to protect those households

who may be affected by the removal of existing benefits and it is proposed that this protection will be phased over the next few years. A total of £9.7 million has been set aside for next year. During 2008, proposals will be made to the States under phase 2 of the employment law reforms which include redundancy rights and the protection of employees involved in business mergers and acquisitions. The Employment Forum, who are an independent body, will also begin consultation with regards to family friendly initiatives that will include maternity and paternity matters resulting in a presentation of their findings being made to Members during the final quarter of the year. A review of the social security benefits provided by the department will be commenced on completion of the new income support scheme. This will include further research and consultation with views sought on a range of policy initiatives including a long-term funding scheme to provide people with the means to pay for long-term care and opportunities of increasing flexibility in the pension age and secondary pensions. The department has already commenced the review of supplementation, which has seen a significant growth in recent years. Supplementation is the payment required under the Social Security (Jersey) Law 1974 whereby the States tops up social security contributions for those whose earnings are not sufficiently high for them to pay the full contribution. If these contributions were not supplemented in this manner, then current benefits and future pension entitlement for those who currently earn less than £38,904 would be reduced. The benefit and pension entitlements of those earning more than this would not be affected. Supplementation, therefore, ensures that the benefit and pension entitlement of the low and middle earners is protected at the same level of higher earners in society. I should make it clear that supplementation is not money just spent, but paid into the social security fund to meet current and future benefit and pension entitlement. While an additional £3 million plus, operating in line with the average earnings, has been made available for 2008, expenditure is still expected to exceed that budget. The department will continue to explore options for limiting exposure to supplementation while ensuring the benefit and pension entitlement of those earning in the low to middle wage brackets remain protected. A total budget of £312,000 has been set aside in the plan to meet the costs associated with providing a free T.V. (television) licence to those over 75 who meet the financial criteria. If this benefit is extended to those people with more personal finances then there will be an increase in costs currently not provided for in the estimates presented. In summary, this is a plan which not only maintains protection for those people who need it, but also enables the income support reforms to take place next year. I do hope Members will support these aims and objectives.

The Bailiff:

Is this proposition seconded? [**Seconded**]. There is an amendment to the proposition in the name of Senator Shenton. Paragraph (a) of the second amendment and I ask the Greffier to read it out.

The Greffier of the States:

In paragraph (a)(viii) after the words” Page 95 and 96 of the Annex” insert the words: “Except that in objective 1 on page 95 of the Annex, after the existing performance success criteria insert the following new item, (ix) Free television licence scheme extended to all households containing at least one person over the age of 75 from January 2008.”

3.1.1 Senator B.E. Shenton:

I bring this amendment for the simple reason that a number of people approached me and asked me to bring it forward. A number of people feel that it is very unfair that in the U.K. (United Kingdom) they get free television licences and in Jersey they do not. In the U.K., anyone over 75 in a household does not pay for a T.V. licence. I know it is a much deeper issue than that because if we look at T.V. licences and what you get for your money, a lot of the services are not available in Jersey and, furthermore, the BBC (British Broadcasting Corporation) pays a significant amount of taxation to the U.K. Exchequer so although they are giving with one hand in the U.K., they are also taking it back with the other. In a time like this, this is not probably the best Business Plan to bring

an amendment like this. We all seem to be focused on cutting and saving and here am I trying to increase the budget by £300,000. Again. **[Laughter]** Certainly I have had a number of comments from people saying: “Why should we give free T.V. licences to people that can afford it?” and one of the counter arguments to that is the fact that from next year we are going to be taxing the over 75s more than they have ever been taxed before. With the introduction of G.S.T. (Goods and Services Tax) and the fact that we have not brought in exemptions on foods and other vital commodities, the over 75s will be paying a lot more money. It is quite interesting to have this amendment here because there is a lot of people in this Assembly that will say: “Well, why should we pay the licences for people that can afford it?” and I will be watching the vote on this very closely and the vote on the nursery education very closely because a lot of those people that have come up to me and have said that have also told me that I should support the free nursery provision for wealthy people that can afford it, and the issue is very similar. The television is a vital service to the elderly. Once you get to that sort of age, you tend to spend more time at home. You are not out rock climbing or mountaineering or anything and it is a necessity. I do not want to spend too long on this speech because I would rather assess the mood of the House. I think I know what the mood of the House is, but I would like to assess it and then, in my summing up speech, I will vary the length depending on the feedback I get from the Chamber. So, just bear in mind that this is a facility granted to everyone else in the U.K. and bear in mind when you are making your argument, that you may be making a counter argument when you come to the nursery free provision.

The Bailiff:

Does any Member wish to second this? **[Seconded]**. Does any member wish to speak?

3.1.2 Deputy S.C. Ferguson:

I am sorry that the Senator has such a view of the elderly. I think I have told the story before of when I was canvassing I knocked on the door of a couple of pensioners and discovered that they had only just got back from Peru and they were planning to go snowboarding in a couple of months time. So, please do not write off the elderly before you should. I would also remind this House that as Edmund Burke said: “Your representative owes you, not his industry only but his judgment and he betrays, instead of serving you, if he sacrifices it to your opinion.” In other words, we are here to make tough decisions, not to follow the vagaries of the vocal members of the community who may not know all the facts of the case. There is no such thing as a free lunch. All increases in spending will be paid for by increases in taxes. There is no alternative. The newly appointed Health Minister makes continual reference to the U.K. I would, perhaps, remind him that Gordon Brown is looking at new ways of funding the U.K. health service and is apparently contemplating means testing or more charges. In his urge to follow the U.K., will he be following this as well? The question of being available to all, I would remind members of the disability transport allowance. It was aimed to cost £600,000 a year. Because of a warm and fuzzy amendment in this House, a technical term, Sir, it ended up costing some £6.5 million in 2006. It applies to everybody and, as members know, it is badly abused. During his speech earlier this morning, the Senator wanted to concentrate on allocating resources for the less well off. This amendment plans to give the free licence to all over 75s. Is this really the way to use our scarce resources? For example, our revered Chief Minister retires from the political arena next year. While I have every admiration for the gentleman, should we be giving him a free T.V. licence? **[Laughter]**. I urge members to oppose this amendment.

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

May I say how well the Chief Minister looks? I take great pleasure in seconding this amendment, Sir. This is long overdue. I must move in the wrong circles because I certainly do not know many wealthy over 75s. I think when the time comes, I think, our senior citizens will have enough to worry about when G.S.T. comes in. This is long overdue. I will be supporting this amendment and I urge fellow members to do likewise.

3.1.4 Deputy C.J. Scott Warren:

It is a question of priorities. I did support this without the requirement for means testing several years ago. It seems, Sir, that it is a question of how much we give. Do we means test or do we give to specific groups? There are some crucial amendments coming before the House this week and we know, from our discussions yesterday and from this week's news, that there is the pressing question of funding the prison. Certainly, Sir, it is my belief that this Government has not got its priorities right at present. We talk of a national gallery for Jersey. Excellent if we can afford it, but let us get our core needs in place first.

3.1.5 Deputy P.V.F. Le Claire:

Interesting which groups are assessed as to whether or not they can afford something before they get it. This group is one of them, sitting in here today. I think it is a proactive step that will lead to more benefits than we realise. In the past, we have spoken about the benefits of televisions for the elderly and we must remain aware of the fact that a television, for many of us, especially colour television when I was young, was new technology and there was limited channels and limited information and limited broadcasting of the television. There used to be regular periods when I was young when the television would switch off during most parts of the day. Television is moving and changing. Communication is moving and changing and the purposes for moving and changing communication are not just from the broadcaster's perspective. Senator Shenton has just been elected as the Health Minister. In the future, we are going to require more houses to be built to keep patients at home for longer periods so that we can monitor them in their homes, communicate with them *in situ* so that we can save ourselves the resources that are not necessarily well spent in caring for them intensively in one location. Recently, the advent of internet technology has changed the world as we know it. Now there is satellite television available on a PC, a personal computer. One can watch television programmes from all around the world via one's computer. A computer and a screen are now capable of having touch access commands and voice access commands. If we forward this thinking into the future, by recognising that there is a need to continue to keep 75 year-olds and over, and the frail and over, in touch with society we will be attributing some economy into not only valuing their lives, past, present and future, but we will also be looking in the future to turning that and transforming that technology into interactive communication. So, it will no longer be just a one-way set of information. It will be something that we can harness and utilise to reduce costs in the health service, in particular, in the future. So, I would like members to think a little bit into the future on this one rather than just thinking about whether or not somebody should be getting a television. I am asking whether or not we are interested in communication and whether or not we are interested in the two-way communication because I think this will set the groundwork. The money we commit to it will allow us to realise that we value communication, we value their access to communication and we value our investment in communication.

3.1.6 Deputy G.W.J. de Faye:

A little earlier this morning I congratulated Senator Shenton on his new appointment as Minister of Health and Social Services and, as I read the first page of his report, I have to agree with the Senator. It is strange in Jersey politics, but now he has become a member of the Executive - or as he describes it, he has come into the fold - he will clearly cease representing the people and it appears he will now automatically represent the establishment, that is Chief Officers and the judiciary. I am sure the new Minister, being a sensible man, will keep his Chief Officers happy and the political world will, indeed, be his oyster as he so clearly predicts in his own, now perhaps, deeply ironic report. **[Laughter]** I was interested in the Senator's speech. He made a lot of interesting references about the BBC and a number of other members said we must look to the future. Indeed, it may be in the future that the BBC licence fee will become a thing of the past and it perhaps might be helpful if the Senator devoted his attentions to our actual transmission status within the Island, where, as we approach the switch off of analogue transmissions, the Channel Islands will benefit less and less from what is being turned out by broadcast in the United

Kingdom. Indeed, perhaps, we ought to be exploring alternatives early rather than simply waiting for the inevitable changes. After all, as I understand it, many people across Europe do not pay the BBC television licence but still receive BBC by satellite transmission and clearly that would be an option for us. Indeed, why would we want to waste money on paying a U.K. corporate body when we can obtain the same level, if not improved channels, from the same company via alternative sources. So, perhaps, indeed this entire proposition is taking us down the wrong path in any event. But I do hope the Senator does not apply the theories that he has contained within this proposition to people arriving at his hospital. I do not want to turn up and be asked how old I am and then discover what sort of treatment I might be allowed, and this is really the key and core feature here. Age is a novelty element. When you are 21, you apparently got the key of the door. I do not recall that happening to me. Life begins at 40. Well, I had already gone a fairly long way down the track before I got to 40. In fact, I was very grateful to get to 40 but the reality is that life probably began at 50, as Senator Cohen will find out. Now, the clear reality here is that 75 is not necessarily a suitable criteria or changing point for anything at all and, in particular, television licences. Why, why when you happen to be 75, as opposed to 74 or 76, why the magic number, do you suddenly acquire, no questions asked, across the board, free television licence irrespective of whether you are a multi millionaire or on the bread line? It simply does not really make sense and if we are concerned about the facility of people to have televisions, the Senator describes them as essential, I have to say of the many highly intelligent over 75s I have talked to in the past, they tell me that they very rarely watch television because it is all rubbish these days [Laughter]. So, the Senator would like us to invest in rubbish on behalf of old people, no doubt. No, most of our over 75s are tuned to Radio 4 or, as they probably describe it, the Home Service, which has been serving a jolly good product for generations. For whom is a television licence essential? I would say to the Senator probably for a hard-pressed, single parent family. With all the things one has to do in terms of holding down a job, holding down all the domestic difficulties, the opportunity to stick the youngsters in front of a television - although I personally would not necessarily recommend it as the greatest of all educational media - is, I would say, bordering on the essential. So, where are the Senator's priorities here? I am sure it is nothing to do with the more regular attendance of over 75s at the polling booths compared to those younger, more hard-pressed people who just probably cannot get out and vote because they have too much to do. So, I think this is a matter of priorities and right now, while I am totally prepared to believe that there are some deserving cases in our over 75s who probably ought to have a television licence bought for them, I do not believe that we should take a blanket approach at this cost and it is just not an appropriate way to target our funds.

3.1.7 Senator J.L. Perchard:

Very entertaining speech from the Deputy and all before lunch.

Deputy G.W.J. de Faye:

It will be better after lunch, Senator [Laughter].

Senator J.L. Perchard:

Well, that was the insinuation. Senator Shenton's logic when proposing this amendment is, of course, flawed as being ably pointed out by the previous speaker. By wishing to support those in genuine need, he proposes what I can call the confetti approach. He goes on the windy day with his handful of confetti, throws it across the churchyard, hoping that one or two pieces will land on the bride and groom. We all know, Sir, that many over 75s do not drive as well as they once did. If one applies the Shenton logic to road safety, why do we not withdraw driving licenses from all 75 year-olds or over? The confetti approach to road safety. No, Sir, I think not. Some 75 year-olds are as good as drivers as they ever were and some 76 and over are better than they ever were. But some are not. So, the logic of the confetti approach to road safety for over 75s is flawed, as it is for T.V. licences. Sir, this proposal is discriminatory. Why 75, as Deputy de Faye pointed out? Why not 65, 55? Really, let us target this support to those who need it perhaps. Why do we not target the support

to those that need it? I have two words to say in answer to my own questions, Sir, and that is income support.

3.1.8 Deputy G.C.L. Baudains:

I was listening carefully to Deputy de Faye's contribution and I have to say, no doubt he will be surprised to hear, it was right on the button. In my view, the BBC is a shambolic and disreputable organisation [**Laughter**] without a conscience, because it charges Jersey for services it cannot receive and bullies people who have not got a television licence on the assumption that they must be watching television illegally. So, I am pleased to see that these issues are addressed in Senator Shenton's report, Sir, because what we really need to do is to negotiate with the BBC a reduced licence fee for all because, as other members have said, Sir, quite frankly the rubbish on television at the moment and the 2 terrestrial channels that we can get I would say possibly £5 would be a more appropriate fee. In fact, one might in fact look at this amendment as being more of a punishment than a gift [**Laughter**]. In all seriousness, Sir, I believe we are looking at this problem from the wrong end and throwing money at it is not the answer. We really should be addressing the issue of the possibility that we will not have a reception of television in the near future because the analogue system is not in place, and the quality of the service we get and the amount of service we get, paying the same prices we do as our friends in the United Kingdom for a much depleted service, frankly is not on.

LUNCHEON ADJOURNMENT PROPOSED

Senator F.H. Walker:

I arise to propose the adjournment but it would be remiss of me, as the first opportunity to speak after the election, if I did not publicly welcome Senator Shenton to the Council of Ministers and say how much I enjoy curbing some of his excesses and working with him, Sir [**Laughter**]. I look forward to working with him in a highly constructive and positive fashion and I welcome him to the Council. Sir, having said that, can I propose the adjournment?

The Bailiff

If Members agree, we will adjourn until 2.15 p.m.

LUNCHEON ADJOURNMENT

PUBLIC BUSINESS (...continued)

Annual Business Plan 2008 (P.93/2007): Strategy Objectives for the Social Security Department (continued)

The Deputy Bailiff:

Very well. So, the Assembly is debating the second amendment by Senator Shenton. Does any other member wish to speak on that amendment? Very well. I call upon Senator Shenton to reply.

3.1.9 Senator B.E. Shenton:

I will be brief. We have got a lot of work to get through. Deputy Ferguson said that there was a tendency to look to the U.K. and do what the U.K. say but, of course, this is a U.K. tax or fee or whatever you want to call it and it is quite interesting. I was trying to get clarification as to whether G.S.T. would be charged on the T.V. licence but no one seemed to know. Deputy Lewis, I would like to thank him for his support. Deputy Scott Warren mentioned about the means testing. Of course, means testing does have an additional cost which you have to take into account. You do not automatically save money by means testing. Also you need to - under means testing, you basically have to prove your poverty so that is why sometimes you should veer away from means testing. Deputy Le Claire reiterated how important the T.V. is to the elderly, how it is more a friend in the corner than just a device. Deputy de Faye seems to advocate almost an MOT for pensioners to

qualify for a T.V. licence, which I do not think would go down too well. As I say, I am not going to speak for very long. I think it is a worthwhile proposition. I am glad I brought it. I would like to thank the various people that prompted me to bring this amendment. We are out of step with the U.K. It is a fee, it is a cost and, as I said before, those of you vehemently against providing T.V. licences for the very rich, I will be keeping a close eye on how you vote on the nursery care when you may provide nursery care for the very rich and I put forward the amendment.

The Deputy Bailiff:

The Appel is called for. Very well. I invite Members to return to their seats for voting on the proposition of Senator Shenton, the amendment, and the Greffier will open the voting.

POUR: 11

Senator B.E. Shenton
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John

CONTRE: 28

Senator L. Norman
Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian (L)
Deputy of Trinity
Deputy A.J.D. Maclean (H)
Deputy I.J. Gorst (C)
Deputy of St. Mary

ABSTAIN: 0

The Deputy Bailiff:

We return to the debate on the objectives of Social Security. Does any other member wish to speak on that matter? Does any other Member wish to speak?

3.2 Deputy A. Breckon:

There are a number of issues, I think, within the Business Plan and I know the Minister has touched on some of them. One is the issue of supplementation and some of the figures, Sir, are quite alarming really. We have gone from in 2005 £50.8 million to the estimate for 2008 of just over 61 million. By any standard, Sir, that is a significant increase and the Minister mentioned sort of limiting exposure to supplementation and I know that there is a plan to look at this. Perhaps he could tell us a little bit about that in his summing up. The other thing that is mentioned, Sir, in objective 1 is research and consultation undertaken and it is in respect of a long-term care scheme and I think, Sir, that there is a feeling out there in the community that people are willing to

contribute towards an insurance-based scheme. Other places have been mentioned where this happens and I think it is a case of get on with it and not research, although consultation is certainly required. Another thing that is mentioned in there, Sir, is the skill strategy and there is a coming together with Social Security and Employment Services with Education and perhaps Economic Development and it does say in conjunction with partner departments. Perhaps the Minister could just expand a bit on how this will work because I understand there will be less funding certainly from Education's point of view and the careers element, as I understand it. The other thing, Sir, in objective 4, it talks about family friendly policies and this is part of a future employment legislation, but perhaps the Minister could expand on if there is a conflict here between what might happen with the income support if, you know, one parent decides, for family reasons, to stay at home, what the conflict might be or what the pressures might be in saying to someone that you have to work when they might consciously want to make the decision to stay at home for family reasons. Family friendly has a nice little buzz about it, but the question is will it conflict with the need to be available for employment to qualify for some benefits, if that does happen, in certain cases. I understand that the Minister might not be able to reply to any or all of those things, Sir, but if he is not able to do so today, perhaps if he could provide information in the very near future, that would be appreciated.

3.3 The Connétable of St. Brelade:

Notwithstanding the fact that the Minister alluded to the point that he was going to undergo a review into supplementation, I think I was right in hearing him when he suggested that the income bar was £38,000. Clearly, the average wage is being dragged up by the wages presently being enjoyed in the Island by the finance sector. Could I ask, in this review, whether he will be reviewing that income bar and perhaps lowering it so that the net cost to the Island is less than at present?

3.4 Senator P.F. Routier:

Hopefully, I can answer all Deputy Breckon's questions, four of them in all. One is followed up by the Connétable of St. Brelade regarding supplementation. Deputy Breckon wanted to know what was probably the meaning of my comments regarding limiting exposure in the future. We do recognise that supplementation is an expense which the Island has agreed to many times in previous years, and recognise it as a contribution to ensure that those on low incomes and middle incomes do have the protection of the social security scheme, that their contributions are paid in full so that they can benefit from a full pension when the time comes. But we recognise that every year that we come to this situation of allocating funds to the Social Security Department that the thorny issue of supplementation comes forward. Every year the supplementation figure does vary and the problem being it is very, very difficult to forecast in advance what the labour market will be doing and how much people will be earning in wages. The forecasts for our Business Planning process starts in the early part of one year, usually in March sort of time, and then we are being asked to forecast what the labour market is going to be doing the following year. So, it is virtually an impossible task to forecast, with any certainty, what the States will be asked to pay in supplementation. The Connétable of St. Brelade particularly asked about - he called it the income bar but it is not an income bar as such. It is the earnings limit. The amount, £38,000, and a few pounds on top of that, which is the full contribution rate which the Government Actuary calculates to ensure that people are paying sufficient premium so that they can benefit from the full range of social security benefits. So, the 12.5 per cent, the 6 per cent from employer and 6.5 per cent from the employee, up to £38,000 is the contribution that is required to pay to cover those contributions. So, the Connétable asked about reducing that level of the earnings limit. The problem with doing that is we would obviously have to reduce the pension rate and it just would not stack up. We would have to reduce the pension rate and the other benefits which come along from the social security system. So, I would urge caution about the wish to try and reduce that amount because we do have to go by what the Government Actuary is saying to us about the need to continue to have contributions at

that sort of level so that we can continue to pay very good pensions in Jersey. We have a very good pension system and I think people do rely on that as the basic pension.

Deputy S.C. Ferguson:

Can I ask for a point of clarification, Sir? In view of the fact that it is the Government Actuary who sets it, is the Minister referring it back to the Government Actuary for his opinion?

Senator P.F. Routier:

The Government Actuary does not set it. He makes a recommendation to the Minister at what level of contribution would be appropriate for the level of benefits we want to pay. Every three years, the Government Actuary carries out a review of the social security system and makes recommendations again and we are expecting the Government Actuary to carry out - to finalise his work, in the very near future so we will be coming forward - well, it will be made public what his current view of the social security fund is. Deputy Breckon asked about the research into the funding of long-term care and certainly he gave the impression that it seems to be general opinion that we should be just getting on with it. I recognise that there is a desire to have something in place. If I was to say to you today that tomorrow you will be paying another two per cent in social security charges, I am not sure that would go down immediately very well with everybody. I am not saying those are the figures, but there has to be a valid reason and a valid calculation made of what is required of that scheme. We have been looking closely at the Guernsey model and we do know from our Guernsey colleagues that their system does need tweaking, even with what they have, because they recognise that not everybody can access the long-term care. They pay a premium and it is not possible for everybody to have access to the scheme. It is not a foregone conclusion just because they have paid their contribution that they can get into the care system. But they also are suggesting to us that their scheme and our scheme, if we bring forward a scheme, could benefit from having a mechanism which would enable people to pay for care in their own homes so that is also something that needs to be looked at. But it is not something we can just bring into place very, very quickly. We need to consult with people and to be sure that they do want to pay an additional amount of money in insurance premiums. Another question which Deputy Breckon asked was about the skills initiative. This is early days with the work we are doing in conjunction with the Economic Development Minister and the Education, Sport and Culture Minister. The Skills Executive has only recently been established and we are meeting on a regular basis to make sure that we can bring a co-ordinated service for people to ensure that the skills of the Island do match the requirements of the workforce. Deputy Breckon also asked about family friendly policies and if there was a conflict with the income support system. The family friendly policies, which are highlighted in the aims and objectives, are in relation to employment law developments coming forward from consultation with the Employment Forum. These will come forward with recommendations which would be appropriate for Jersey. We are all awaiting the outcome of those family friendly policies from the Employment Forum. Whether they conflict with income support: certainly income support, we recognise it as very important that families are able to continue to look after their children while they need care. We have no requirement for families to work, or a member of a family to work, if they are caring for a child who is under five and if they are over five and in secondary education we would be asking them to think about preparing for work rather than just sort of not - well, there is going to be no great pressure on families to get them out to work but we would encourage them to do so, to help themselves really. I mean it is really an opportunity for them. I think I have covered all the questions I have been asked, Sir, and I maintain the aims and objectives.

The Deputy Bailiff:

All those in favour of the aims and objectives of the Social Security Department kindly show; those against? They are adopted.

4. Annual Business Plan 2008 (P.93/2007): Aims and Objectives for the Transport and Technical Services Department

The Bailiff:

We come next to the aims and objectives of the Transport and Technical Services Department as detailed on pages 104 and 105 and I invite the Minister to propose them.

4.1 Deputy G.W.J. de Faye (The Minister for Transport and Technical Services):

Moving forward to next year, 2008, the La Collette site will be made ready for a new Energy from Waste plant to replace the old and inefficient incinerator at Bellozanne and groundworks will be completed by the end of the year. As is well-known, this project has suffered from delays and it will be good, not to say a great relief, to see this much needed facility finally moving from the drawing board to the building phase. Our review of composting sites around the Island is now virtually concluded which means that 2008 will also be the year when the planning process starts for a new in vessel composting facility. When finally completed it will deliver a composting operation that is modern and enclosed and, therefore, will contain the smells that we know can sometimes be unpleasant. In support of this facility early in the year some localised green waste reception sites will be established at locations around the Island and I would like to take this opportunity to thank the Environment Scrutiny Panel. Credit where credit is due, this was an idea put forward by them and I believe it will save a lot of time and trouble for Islanders and cut out some unnecessary journeys to our current composting site. The Solid Waste Strategy is reliant upon increased recycling and this continues to be a key focus for the department. Indeed, it is my number one priority. The target for 2008 is to recycle and compost at least 30 per cent of the total waste tonnage. Our current percentage is just around 28 per cent. So far the Island has been doing very well and, as I say, we are slightly ahead of target but this has to be built upon. Kerbside collection of recyclables helps promote and facilitate recycling and more parishes will be encouraged to participate following the success we have seen in St. John. Unfortunately, progress in providing additional facilities and support is dependant on securing additional funding, which had been expected to come from the environmental tax. Unfortunately, the department has suffered by such taxes not being forthcoming and, therefore, not having the £450,000 per year which lay in that budget request, which again has unfortunately curtailed our abilities to spread recycling opportunities further than where we are now. Phase 2 of the installation of odour control equipment at the sewerage treatment works at Bellozanne will be completed by the end of the year and residents in the area should experience an improvement in air quality. This is a project that I am delighted has been introduced to relieve residents of Bellozanne of the frankly appalling smells that can emanate from the sewerage works. Also it is a project that I have been able, with assistance from elsewhere, to fast track and it is, therefore, coming on stream a lot earlier than had been anticipated. Moving on to transport and 2008 will be an important year with the implementation of the new integrated Travel and Transport Plan and the recommendations of the *EDAR Report*. A particular area of focus will be on the provision of car parking in St. Helier and work will be undertaken on the replacement for Gas Place car park, exploring the possibility of additional capacity being made available at the Snow Hill car park and maintaining parking provision during and after development at the waterfront. Continuing on the transport theme, I am pleased to inform members that our My Bus and Explorer bus services have had a highly successful summer for the first time being an integrated bus service. Our policy on keeping fares low - members will recall that I reduced evening fares to a £1 flat fare some time ago and this year reduced all passes on average by 25 per cent - have seen a surge in passenger numbers. Over the last three years passenger figures have increased, firstly by four per cent, then by seven per cent and I am pleased to say that this year we are into double figures. So we are talking about 100s of 1,000s of extra rides on the public bus service, which is good for the bus service, good for the community and good for the environment. More work will be done on integrating the summer leisure service and the schools services with the existing scheduled service and we will be developing options for

implementation in 2009 when the existing bus contract is due for renewal. But again, regrettably, budget limitations have limited my abilities to expand our bus services despite the fact that we can clearly see that the demand and expectation is there. Various smaller projects identified in the Travel and Transport Plan will be investigated further and possibly implemented. There will be an assessment made as to the feasibility of a park and ride scheme operating from Goose Green and the concept of business-led travel plans will be developed and started within the Department of Transport and Technical Services. We also hope to progress walking and cycling plans. Additionally, following on from the 2007 taxi review Transport and Technical Services will continue to work through a programme of the implementation of the outcomes of that. Our intention is to rationalise and find efficiencies in our existing taxicab industry. In respect of municipal services the parks and gardens section continue to make the agreed savings identified now in year four of their five-year efficiency programme. The positive feedback from the Jersey Annual Social Survey shows that this has generally not been to the detriment of the standards of the service provided but I do want to say that this is almost certainly due to the hard work and dedication of parks and gardens staff and I have to add that in my view we are reaching a time where we are getting to the limits at which that staff cannot be expected to perform any harder and any further cutbacks, regrettably, almost certainly will begin to show changes. Savings will also continue, though, to be made within the Cleaning Section of the department but these savings cannot be expected to be achieved again without further reductions in service levels. The sea defence strategy continues to be implemented with £1 million worth of investment in 2008, accounting for nine major main sea defence projects. There is also a £3.3 million programme of investment in road resurfacing in 2008 with 10 main projects being undertaken, including Victoria Avenue. I should though point out to Members, as I have done in the past, that according to the expert audit carried out by a branch of the New Zealand public services, who carry out an international audit project relating to highways infrastructure, that in effect our road maintenance programme is essentially treading water. While we appear to be having the greatest amount of road works seen since the days of General Don in the Island, this reflects the level of deterioration that had been allowed to take place over past decades. We are making up for a lot of lost time but even with the £3.3 million annual injection essentially we are just holding our heads above water. We are not making overall progress to improve the quality and condition of our roads although, obviously, every time we complete a new project a brand new road is available. Overall Transport and Technical Services continues to be committed to improvement and will, indeed, contribute just under £200,000 worth of efficiency savings in 2008. But I have to say honestly to this Assembly that I believe that Transport and Technical Services is effectively underfunded in terms of its department operations and, as we do and are responsible for Jersey's key infrastructure, I do think that is quite a serious issue.

The Deputy Bailiff:

[Seconded]. Very well. Then we come to the amendment of the Deputy of St. Ouen, amendment number 7 and I will ask the Greffier to read the amendment.

The Greffier of the States:

Annual Business Plan, Amendment 7: In paragraph (a)(ix) after the words page 104 and 105 of the annexe insert the words "except that in objective 2 in performance success criteria 3" after the words "sustainable liquid waste policy" insert the words "to include proposals to provide main drains for areas highlighted in the five-year programme proposed by the then Public Services Committee in the 2004-2008 Resource Plan".

4.1.1 The Deputy of St. Ouen:

First of all I would like to draw Members' attention to a paper that has just been circulated that I will be referring to which, at the bottom of the page, shows the prioritised list of schemes that were included in that particular programme. Sir, I would also like to draw members' attention to the

actual new complete wording of this particular performance and success criteria. Under the objective 2 headed “Disposal of Liquid Waste with Minimal Impact on the Environment” part three of that objective currently says: “Implementation plan and funding programme developed for the sustainable liquid waste policy.” All I am aiming to include, as my amendment suggests, is that proposals to provide mains drains for the areas highlighted in the five-year programme - which as I say is described on the bottom of the paper that I have just presented - would be included in this implementation plan and funding programme which, obviously, would be determined and considered by the States at the appropriate time. Therefore, I am rather surprised that the Council of Ministers has chosen not to support my amendment, as I believe it is entirely consistent with previous commitments that both the Ministers and the States as a whole have supported in the past. In the Strategic Plan under commitment 4, section 8 the States agreed to provide a physical infrastructure which supports the economic and social needs of the Island. Under the heading of “What we will do” it states: “Ensure that the physical infrastructure, including the water supply and waste strategies are able to cope with any population increase.” I am well aware, as it seems to have been the case over the past day and half, that in most cases the aims and objectives can be interpreted in several different ways. However, it is also clear that mains drains provision to existing developed areas must surely be encompassed in these high level statements. In the Annex of last year’s Business Plan one of the aims was to provide services which lead to unavoidable waste and effluent being managed so that there is a minimum impact on the environment. Again, not very specific and yet one would expect that issues such as pollution from soakaways and the like would come under this heading. In my report accompanying my amendment I not only highlighted the fact that certain areas were identified by the then Public Services Department in the 2004-2008 Resources Plan which clearly do not conform to these objectives, but also that little has been done in addressing this problem over many years. I am the first to recognise that budgetary constraints may have been a contributory factor to the lack of progress. However, it does not minimise the problem that still exists. I am not, as some would suggest, proposing that these areas should be given priority. I am simply asking that as the implementation plan and funding programme is being developed for the sustainable liquid waste policy due consideration is given to those areas already identified by the department. I ask what problem is there in that? One would expect that during the policy development stage the issue of mains drains extensions would need to be fully considered. I am also rather confused by some of the language used by the Council of Ministers in their response as the report speaks of a liquid waste strategy and not the sustainable liquid waste policy. A strategy, in my view, is an overall high level plan, whereas a policy is a course of action adopted. The strategy may well cover the issues raised in the report, including mains drains extensions. However, it certainly is not clear. This amendment seeks to ensure that the policy should be all-encompassing while at the same time not precluding the addition of any other priority areas. I have had personally several discussions with the Transport and Technical Services Department over a number of years regarding how one can address this issue. However, although they have been helpful, the ultimate response has been consistently: “We cannot do anything because of the lack of available funds.” As I have said before, this might be the case but it should not stop the department from considering this issue in more detail and attempting to find solutions to the problem. In the development of any sustainable liquid waste policy funding has to play a part and equally where it comes from. I would expect consideration to be given to the use of new technology which in some cases could be more cost effective than the proposed large gravity fed systems of four, five and six years ago. Homeowners should be consulted to determine whether some of the overall cost of a proposed extension could be met by introducing some form of contribution to the overall cost of provision. The use of planning gains and obligations linked to new developments should be considered as a method of funding part of the cost of these mains drains extensions. We already have required developers to provide new roads, play areas, community facilities and even money for sculptures. So why not mains drains extensions? Especially if the new development is in an area where access to mains drains and mains water already exists. Another option which should be investigated and is possible because I have made

inquiries is to use certain ground works - shared ground works - including trenching which can be provided by other utility providers, such as Jersey Water in order to reduce the overall cost. These are just some of the examples that I happen to have come up with and areas that one would expect Transport and Technical Services to explore as they develop their sustainable liquid waste policy. I hope that Members will support my amendment and request that Transport and Technical Services not only fully explores these issues as they develop their new policy, because otherwise I believe that this issue again will be totally overlooked. One final point: there are homeowners throughout this Island who justifiably want to know whether the mains drains extensions that they were told to expect will ever be provided. I believe it is only right that we require Transport and Technical Services to come back to this Assembly with a sustainable liquid waste policy that enables members to answer this question and I hope you support my amendment. Thank you, Sir.

The Deputy Bailiff:

Is the amendment seconded? [**Seconded**]

4.1.2 Deputy P.J.D. Ryan of St. Helier:

Well, I rise as the Chairman of the Corporate Services Scrutiny Panel and members might be forgiven for thinking: “Well, what has this got to do with drains?” The answer is directly, nothing, except that at a meeting that we had three or four days ago - it was on Monday - we were looking at some ministerial decisions and this is an area where Scrutiny Panels do find it sometimes difficult with the workloads that there are to look perhaps as carefully as they should at ministerial decisions that can slip through under the radar if we are not very careful. I hold my hand up as Corporate Services we have not been as good maybe and as on the ball as we should have been in the past and perhaps these comments from the Public Accounts Committee where my colleagues Deputy Ferguson and Deputy Reed have been on the ball, because they have pointed to a ministerial decision about the review of the Public Finances (Jersey) Law and I commend them for that. This is an area that slipped by me and I am very, very grateful we will be having meetings as Corporate Services with PAC to discuss this issue in some detail. But the ministerial decision that I am referring to came up because we have instigated a system whereby our officers do put in front of us on a regular monthly basis all of these ministerial decisions that, as I say, if we were not careful might easily slip under the radar. The one I am referring to refers to July 2007 and is a decision that the Minister for Treasury and Resources made at the request - and I will quote what my paperwork says: “The Minister [that is the Treasury and Resources Minister] approved at the request of the Minister for Transport and Technical Services (MD-T-2007-0060) to close the capital head of expenditure for foul sewer extensions, reference C0452, and transfer the unspent balance of £329,172 to the waste minor capital head of expenditure.” So the Transport and Technical Services Minister did have some money but it has been transferred to waste. I would like an explanation from the Minister, please.

4.1.3 The Deputy of St. John:

In the absence of the previous Deputy of St. John, who I understand was known as the “Minister for Drains” I feel I perhaps should take up the legacy and this issue is still a big one in St. John. I am already working on a couple of schemes for local residents whereby, through basically private/public partnerships and with assistance from TTS (Transport and Technical Services), we have been able to put together a couple of schemes whereby you can achieve some of what the Deputy of St. Ouen is suggesting at quite low cost. So I am very supportive of the idea of reviewing the whole issue because I believe we can connect a lot more with the Island at much lower cost than perhaps TTS is suggesting. I will give you an example. When we originally looked at a scheme in St. John earlier on in the year, we spoke to TTS and they were suggesting that such a scheme would cost about £300,000. Clearly a budget was not there for them to use. When we looked at it from a private contracting point of view and went through fields rather than roads we got the same project down to £25,000. There is an awful lot that you can achieve with private/public partnerships and I

think there is an awful lot more that TTS could do with their budget if there was a proper review done in terms of the sewerage extensions and that is why I will be fully supporting the Deputy of St. Ouen's proposal for a full review. I do not believe that enough thinking outside the box is being done in relation to extending our sewers. There is a lot more that could be done. Fields could be used. Public/private partnerships should be looked at more closely and I believe a lot more can be achieved.

4.1.4 Deputy C.H. Egré of St. Peter:

Sir, I rise to endorse what has been said by the last two speakers and also note from the Corporate Panel's perspective that there was some money in the bank which could have been used and certainly that the Deputy of St. John has highlighted how that money may have been used soundly to get some achievement in extending the drains. In St. Peter alone, in the list that we have in front of us, you will note that nearly 30 per cent of that list sits in the Parish of St. Peter. We have a situation at the bottom of Jubilee Hill, and I claim to be a householder in that area, where there are over 11 houses which literally sit about 100 metres away from work that was carried out to extend the drains some six years ago but they stopped and they did not finish the job. I might add that the houses are - to get to the area where they stopped it is downhill and surrounded by fields. I think it gives some idea that with some innovative thinking that these jobs could be done and I certainly recommend that the House accept this amendment.

4.1.5 Deputy C.J. Scott Warren:

I believe, Sir, that accepting the Council of Ministers' comment that there should now be a new strategy regarding this issue. I am very concerned, Sir, to read in their comments that there are the words "the next 20-50 years". This is not, in my opinion, an acceptable time span for the sewerage extension schemes and for people to have mains drains, Sir, and I think there should certainly be a review and progress made.

4.1.6 Deputy G.W.J. de Faye:

I am very grateful to the Deputy of St. Ouen for his amendment and under other circumstances I think one might be very happy to adopt it. But, regrettably, I have to say to the House that that is not the position and there are some very good reasons why I shall be explaining that we should not go down this path. Jersey since Victorian times has, in fact, shown a very innovative approach to drainage and sewerage. In fact, when the original Victorian drains were constructed they used the throughput from the numerous town streams to, effectively, act as sluicing and washout and, strangely enough and believe it or not, the various sections of the underground drains had the capacity to be shut off so that, in the event of a fire, the fire service could put their hoses into the drains which would then be progressively filling with stream water and that was used to put out fires. Clearly, being a fireman in those days was not merely hazardous but it was also to some extent a rather unpleasant job. Since those times the Island and its drainage infrastructure has expanded. In fact, at the moment 87 per cent of households within the Island are served by mains drains but, regrettably, over that same period of time the appropriate levels of maintenance on those drains were not kept up. Now, if we look at the remaining 13 per cent, and the list highlights some of the areas clearly currently affected, I think one needs to understand and assess the situation because all these issues in a matter of budget spending are matters of priority. Clearly these are households that are functioning on boreholes, soakaways and cesspits, but the fact of the matter is that they, in most cases, are functioning. It may not be the best and ideal solution. It may not be environmentally friendly in the way we look at things in modern times but nevertheless most of these households have functioning soakaway systems. It is also true to say that if we wish to tackle some of these projects the reason that the households remain unconnected to mains drains is that they are, in most respects, the most expensive projects to undertake, probably because they are involving very long distances to be undertaken with drainage. Now, I know the Deputy of St. Peter pointed out one particular issue where the drains did not appear to have much further to go but the

reality is, and I say to the Deputy and to all members, when the budget runs out that is where the drain stopped. That is a simple fact of funding. **[Interruption]** Well, I think you have had your say, Deputy, if you do not mind and I think I have covered that matter. **[Laughter]** Now, is this really the key problem to focus on, this list of projects that were decided on in priority terms some time in 2004 and I say to members, no, it is not. This is not the priority at the moment and I can indicate another serious area of my concern and that is the effect of our new planning regulations. Which means that when any local resident or householder wishes to make any significant extension to their homes and they are not on mains drains there is a requirement now that your application will be tied to an insistence that you will either join mains drains or you will be obliged to go on to a tight tank system and whether your soakaway system has been working perfectly for the last 100 years is not relevant, you will be obliged under the regulations to change the way you deal with your own localised sanitation. I know for a fact that this, what some regard as an onerous requirement, is causing serious financial difficulty to many residents in this Island. It ties them into having tankerage operations and, in some cases, costs them £1,000s and in the rare case 10s of £1,000s per year and they have to pay while those on mains drains clearly have the luxury of not paying. Now, I have to say that I think that that is, in reality, more of an issue of urgency to find a solution to than worrying about the remaining 30 per cent. Now, as projects have continued, Members will be aware that the latest concern is, in fact, the reverse of the original situation where the streams were quite deliberately put into the foul water system. In fact, a huge bulk of our current projects are to do with separating the surface water from the foul water because of the huge problems that can create in terms of flooding. That is one of the reasons also why the Cavern project was undertaken and that is now probably a decade old and I can tell members if they have not read it in the media earlier this year the Cavern is working. It works well. It fills up and it discharges. It ensures that you no longer read in your newspapers the ghastly plight of many town residents and shop owners who had their basements flooded out on a year-by-year basis, stock destroyed and so it is a successful project. Again I say to members that this is a question of priorities, which is why - in answer to Deputy Ryan's why was money transferred? It is because of a pressure on those priorities. If I suddenly find that, let us take an example, the planned budget for the Bellozanne incinerator has hit the buffers but one of the plants has just gone down and we are facing a very substantial bill for repairs, I have to find the money from within department resources and I can assure the Deputy that I do not shift funds lightly. An enormous amount of thought goes into what is going to be getting the best return for the public and what is in the public interest. But I really want to conclude by saying that the key issue here is that the Transport and Technical Services Department is well-advanced in its undertakings and study for the new sustainable liquid waste policy and I believe - while the Deputy of St. Ouen's amendment is well-intentioned and under other circumstances I would absolutely welcome it and I would say that it highlights the lack of funding that has gone into this area in the past and it is a problem that has to be addressed, I would simply say to States' members firstly that I would not wish the sustainable liquid waste policy to be tied so it ended up with one arm behind its back because the States has decided to re-adopt something that was decided on as a priority over three years ago. What I hope to bring back to the States is a new innovative approach to how we deal with this particular area of the department's responsibilities. I hope States' members will discover that there will be some innovative and new ideas as to how to do this. Frankly, at the end of the day if members wish to insist that this is included into the sustainable liquid waste policy, the time to do that is when I bring the strategy to the States to debate it in full. There will be plenty of opportunities before we get there for all States' members to have their say and be included in consultations on the policy and I have to say quite simply you will get at least one other bite of the cherry in terms of being able to come to me or the department with concerns, with ideas with this type of thing. You will then also, as a body, be able to make a decision on the strategy itself and, of course, the opportunity for amendments to that strategy will be available at the time. So I simply say to members this is well-intentioned but this ahead of the game and it is unnecessarily tying ourselves to policies or an element of policy that is now outdated. I simply ask members to reflect on the fact that we are in the latter stages of

producing a complete strategy review of the liquid waste issues. I have highlighted some of the other problems and, frankly, I think they probably are more serious in content than some of these particular smaller projects and I think it really would be a mistake to tie the department's hands at this stage. I am very happy for States' members to do it in the full knowledge of what the sustainable liquid waste strategy turns out to be but I would recommend very strongly against trying to influence that at this stage.

Senator J.L. Perchard:

Can I just ask for a point of clarification from the previous speaker? The sustainable liquid waste strategy to which he said will be presented to the States, and the speaker did not say when. When can we expect that?

Deputy G.W.J. de Faye:

Senator, if I knew exactly when I would be delighted to tell you but we are roughly speaking two-thirds of the way through the project and I would hope that we are probably looking at the first quarter of next year.

4.1.7 Deputy F.J. Hill of St. Martin:

I expect if those Members remember, the Deputy of St. John, former Deputy Rondel, would be there sitting in that corner really huffing and gruffing if he heard the speech we have just heard from the Minister. I can honestly say how disappointed I am because really we have got a simple projet in front of us, I would have thought to be supported by certainly all those members who represent the country districts, whether the Connétables or Deputies, because all we are asking for really is what it says here. My amendment certainly asks the department to address these issues and bring forward a proposal for the States to consider, and we have heard the Minister say he is going to do it. So why are we spending all this time debating something which he says he is going to agree to? It seems to be quite nonsense. But could I just remind members that about five or six years ago the Deputy of St. John -

Deputy G.W.J. de Faye:

If I could just correct the Deputy, I did not say I was going to agree to all these particular projects. I said they would be considered.

The Deputy of St. Martin

About five or six years ago the former Deputy of St. John, Deputy Rondel, did bring forward a petition to the House with several thousand signatures and it was my role to bring forward the proposition on behalf of the petitioners and what we were looking for then really was to ensure that we had a sustainable drains programme. That is all we were asking for, to ensure that possibly over the next 20 years that all the Island's drains, all the houses would be connected. The slipping point, or the point really was the word "all" - all properties - and it was my fault, it had to be part of the petition. That is really what cost - we lost the vote albeit we got over 20 votes. A very close vote about how close we were going to get to having a sustainable programme and really, again, this is coming back again simply because we have not got a sustainable programme. It is not fair for those people who are in the country district, those who have got tight tanks, we have heard the Minister say there are people paying thousands of pounds a year because there are tight tanks whereas the rest - I have no doubt, the Minister's one of the few, one of the lucky ones, that pays nothing at all for the drainage. The inequality is such that it is totally unfair and what the Deputy of St. Ouen is really asking for is for us to address it. Not necessarily with money but at least address it with the proposals coming forward. I would ask members to support the Deputy of St. Ouen and ask that we quickly come to a vote.

4.1.8 Deputy J.J. Huet:

Obviously people are going to say you are bound to support your Minister, but believe it or not, on this list is my address, St. Helier, Mont Cochon, no drains, never had any drains. All the people up in that area are on tight tanks or soakaways. So obviously one would love to be on drains because, as the previous speaker has just said, if you are not you are going to pay. But you have to take it in proportion. There is 13 per cent that are not on drains, and most of those properties, like mine, have got cesspits or soakaways. If I want to extend I know the rules, I know that I have to put a tight tank on and you can have somebody ring up and complain that they have now found their bill for sewerage has shot up out of the blue but they got a building plot out of it. One should look at this. The ones to feel sorry for are not the ones that put the extension on and then think you should put the money in drains rather than to have a better extension. The ones that one should be feeling sorry for is the little souls that buy the places not realising how much it is going to cost to empty these tight tanks because the developers have jumped on the bandwagon. They are buying properties in the country and they are putting nice extensions and a few more rooms here and a few more rooms there and then selling them. Putting them on tight tanks in accordance with Planning's instructions. But they have not told the buyer. The buyer then gets the shock of their life when they suddenly get landed with this astronomical bill for taking soak away. We have got them in St. Helier, this happened. The developers have jumped on the bandwagon, and we have asked Planning and their lawyers now to make sure that when people are buying properties that they are aware that these are on tight tanks and they are not going to be covered by sewerage, and how much it is going to cost them. But at the end of the day, can you honestly say that the 13 per cent - I live at Mont Cochon and I have yet to have a complaint from any of my residents thinking and demanding that they should go on main drains, because they know what your criteria is and if you can make your soakaway work the only reason you are really wanting main drains is because you want to put on an extension. **[Members: Oh!]** Usually, very often, that is completely correct. There is not too many people that have soakaways running down the road. Not too many, as I said, and the developers have jumped on this bandwagon with full glee. But I have found that most people are extremely reasonable and know that when they put on or add on they are going to have to pay extra. All I am saying is that we have to keep it in proportion; 13 per cent of the Island are not on main drains. Do you think there are many places that you could go in the world and say that? Because I do not think there is. I think that is a fantastic proportion of your people that are on main drains. The ones that are not on main drains are very often way, way out that it would cost a small fortune whether you went through fields or whether you did not. So I do not think that is correct. I rest my case, Sir.

4.1.9 Deputy G.C.L. Baudains:

The Deputy of St. Martin suggested when he spoke that representatives of country parishes would welcome the drains extensions. Well, I can say that the Parish of St. Clement regrets the drain extensions because that is one of the reasons we have all the development that we have. I do recall a previous Connétable of Trinity telling me that he was very glad that there were no main drains in his area because it limited development. What I wanted to address, Sir, is I am having a little difficulty reconciling the comments of the Council of Ministers with the amendment, Sir, because leaving aside the fact that the first sentence reads as if the strategy is going to take 20 to 50 years to develop - I would have thought preparing a strategy would take less than that - but it does appear they are talking about different things. My understanding of the Council's comments are that the Liquid Waste Strategy has more to do with value for money and financial implications than it has to do with the review of actual drainage needs. I am wondering if perhaps whoever is responsible for these comments could clarify that issue for me because it will make some difference as to which way I will go on this.

4.1.10 Senator T.A. Le Sueur:

Incidentally I am not on mains drains, I am on a septic tank and soakaway and I am pleased to say it works well. But be that as it may, I would happily welcome an extension to mains drains, as I am sure everyone would welcome an extension to mains drains as and when it was feasible and sensible to do so. But I look at this amendment from the Deputy of St. Ouen and I really ask myself: “Does it add anything? Does it help us or would it constrain us?” Because the objective at this present time says: “An implementation plan and a funding programme developed for the sustainable liquid waste policy.” An up-to-date liquid waste policy. Not a policy designed 4 years ago or 40 years ago but designed for the next 40 years. I think Deputy Baudains made a comment about the Council of Ministers’ comments – that it would not take 20 or 50 years to do a strategy. I think that sentence might be ambiguous but I am sure anyone reading it in a reasonable way would come to a conclusion it was the Island in the next 20 years rather than the strategy in the next 20 years. However, the point I wanted to make is that I think that this amendment ties our hands because it restricts us now, or does not restrict us, but it highlights or suggests that we should put the biggest emphasis on certain properties. Properties which were highlighted in the old programme, which were appropriate at that time. Now I think that the objective, as it stands, is far better when it covers the whole up-to-date requirements of the whole Island. So I say to myself and to Members: “Why should we try to restrict it or maybe point it in a wrong direction when the existing objective achieves what we are trying to achieve in a totally satisfactory way?” On that basis, Sir, I suggest that the amendment is unnecessary and misguided.

4.1.11 The Deputy of St. Mary:

Just very briefly; as the Deputy of St. Martin said, this does really affect those of us in the country parishes. First of all, I would just like to say from someone who I have always regarded as a very genuinely compassionate person I am quite alarmed by the lack of understanding that Deputy Huet displayed. I appreciate there may be some mercenary gain to be had from some of the developments but I know very many genuine cases where people have moved on to tight tanks simply because, for example in one case, twins were born and it was out of the blue, and the family had to extend because they had invested everything they had in having that house and could not move on. Other cases where a son returning to the Island with perhaps not much capital moved in with the parents, small things, but in each case the burden of the tight tank has increased the burden on those families incredibly. I mean, I think it is unheard of in most modern, extremely wealthy countries to find families who cannot run washing machines because running that washing machine tips them over into an extra fill-up every month and it is a very, very genuine concern. I believe that the Deputy does appreciate that concern.

Deputy J.J. Huet:

I would like to apologise because the Deputy is correct. That was out of order.

The Deputy of St. Mary:

Thank you, Sir. I do accept that entirely because, as I say, I do believe the Deputy does understand the pressures that this puts on. But my problem here is, while I would really like to have mains drains in every area, from my own Parish, for example, the area that I am concerned about is not even covered in this five-year plan. Other people that I have dealt with in neighbouring parishes who come to me just for additional backup, they are in this plan, but when will they get some service? They have been waiting for years but there is still no certainty. The real problem here is - I hate to admit but I think the Minister has hit it on the head - it is the policy of the tight tanks themselves and the necessity that needs to be looked at here. Nothing in this amendment, although I would love to support it, in principle it does what I want, but nothing addresses those people on tight tanks as they are now. Nothing addresses the proper allocation of funds to need, and if the Minister has given us some assurance that there is a policy on the way that we can really crack down on, that we are going to be able to put our concerns about mains drains in there, then I feel

that probably this amendment, well-intentioned though it is, is not quite the way to do it. Regretfully, I do not think I will be able to support it, Sir.

4.1.12 Senator J.L. Perchard:

Just a little contribution to the debate expanding the point just made by the previous speaker. I believe this amendment is restrictive if the proposer wishes to connect as many new properties as possible to mains drains. I will tell you why, Sir. Since 2003 when presumably the 2004/2008 Resource Plan was drafted, technology has improved so much and that properties are able to have their own little pumping stations. Prices have come down and many properties in the countryside now have a little tight tank with their own little pump that feeds into a mains system. Strategically, if we are to follow the 2004 diagram on where drains should be prioritised we will not necessarily find them as an efficient method of connecting as many properties as possible. It may be now that we recognise that people are able to pump a distance and that strategically we could make more impact by connecting more properties by going halfway between two properties rather than all the way to one and not the other. So, I think the Minister's liquid waste strategy will, I assume, accept that unless we have some sort of compromise proposals we will never connect many more people with limited budgets, or as many as we would like with limited budgets, unless we go halfway. We meet the customer halfway and I look forward to the strategy. I hope the Minister recognises that there is an opportunity for properties to club together and pump their own sewerage 150 to 200 metres, that would enable him to move a line into an area that he otherwise would not have considered. So, I will not - albeit I understand why the proposer is bringing this amendment - I will not be supporting him on this occasion as I do not really think he will be meeting the objectives of which he intended when drafting the proposition.

4.1.13 Deputy R.G. Le Hérissier:

Very briefly, although I will have to say the Deputy of St. Mary took the words very eloquently out of my mouth. The thought of sewerage clubs as Senator Perchard outlined was interesting. What I think has been missing from Transport and Technical Services, Sir, is a sense of urgency. There is, as the Deputy of St. Martin said, a real sense of grievance in the countryside as to where points stopped or did not stop. There is a feeling that the budget is being disregarded, as Deputy Ryan of St. Helier mentioned, but it would have been so nice to save us having to go through this debate and having to deal, as Senator Perchard has just said, with an imperfect proposition. It would have been so nice if the Minister for Transport and Technical Services had said: "Look, let us compromise, I am going to try and re-energise or re-work the sewerage working party. We are going to look at alternative technologies and I will report back to you within this timeframe" because otherwise this is going round and round. A group of people now feel, Sir, that they have an entitlement. They have been at the end of the road and increasingly they are getting pushed further and further down that road while new developments come in and supplant them and so forth and so on. The notion, while it is a very tempting one, of Deputy Baudains of St. Clement, that you are better off not being there because it brings all the evils of development in its wake is a partially attractive one, Sir, but I think that is a recipe for remaining, quite frankly, in a third world situation. This situation has got out of the control. It is, if I may use a phrase, stagnating and I would ask the Minister and his Assistant if they could get together with the Deputy of St. Ouen and try and revive this process, and maybe on those grounds, Sir, the Deputy would lay aside his imperfect proposition.

4.1.14 Senator F.H. Walker:

I would just like really to add to the contribution made by Senator Le Sueur because he is absolutely right. This is not a case of out and out opposition by the Council of Ministers to the amendment, and indeed we agree with and support the principle. It really is though, as the last speaker, Deputy Le Hérissier has said, an imperfect amendment. What we are being offered as an alternative is a thorough look ahead in terms of sewer extension throughout the Island, rather than being bound by the precise wording of the amendment. I think it is important to concentrate on the

precise wording of the amendment because I absolutely agree that it could end up restricting us more than the proposal to come forward with overall thoughts and plans by the Minister for Transport and Technical Services. So, Sir, I think we should not support this amendment but we should take on board everything the Minister has told us which of course means that the House will expect detailed proposals as part of the liquid waste strategy in very short order.

4.1.15 The Deputy of St. Ouen:

It is an absolute pleasure to have the final word. **[Laughter]** I could say I have never heard so much rubbish in all my life but I have so I cannot say that. Deputy Ryan, thank you very much for drawing our attention to the fact that certain monies designated for a particular budget, a particular purpose, have been transferred and this is, as I think, an issue that we have already touched on. States' members as a whole are not able to determine departmental budgets in the detail they would choose. The Deputy of St. John, private and public partnerships; absolutely. These are the sort of things that are able and should be being looked at. Costs can be massively reduced; yes. I even had a limited acknowledgement on a personal level dealing with the Transport and Technical Services that that was the case. However, they were relatively deaf to my suggestions, hence the reason for this amendment. Thinking outside the box; absolutely. Has that been displayed by Deputy Guy de Faye, the Minister? No. No, he is not prepared to adopt the amendment. He has got all the answers, including how to deal with Victorian drains. If only we had some in St. Ouen, and elsewhere. We should prioritise; absolutely. Soakaways; huge cost. What is the solution? He does not know, he is not bothered, he does not care, he has not given us an answer. Worse still, above all else, the Minister amazed us all that not only has he got all the answers before, I hasten to add, they have developed the implementation plan and funding programme for a sustainable liquid waste policy, which we are still to consider - or one would hope that would be the case - but **[Laughter]** - hang on, that is my Mum's voice **[Laughter]** - but the policy is well advanced. Well, I thought we were discussing a 2008 Business Plan here. I mean is this what is happening? That the departments are putting forward easy targets and objectives for them to go **[Interruption]** - is this the case where departments are producing easy targets and objectives so that they can produce a document which we received not so long ago to say: "Look how good we have been." Now come on, that is not good enough. It is equally not good enough for us to be told: "We are not interested so when we do our policy we will come back, you can then have a chance to amend it at the end." No. No. Do your job, sort it out, bring forward policies that deal with all issues about the cost of soakaways, about provision of mains drains. Yes, let individuals have the opportunity to join up to mains drains, but they have got to have a mains system close by. There are certainly many parts of this Island that do not even have access to that. We hear Senator Perchard speaking of mains drains being 150 to 200 yards away, I am telling you I know of areas that it is nearly half a mile. These are the same areas where there are 30, 40 and sometimes 50 households. We are not talking of the individual and small one-off place in the country. We are talking of communities that have developed and are still developing throughout the Island that are just not able to gain access to these drains. Yes, it could be imperfect, Senator Walker. But equally I could suggest that waste policies that do not address how we deal with the cost of soakaways and the provision of mains drains is equally poor. Therefore, I would ask that members really do consider this. This is not promoting a particular area. It is using a group of properties that was identified by the States, by the department that now Deputy de Faye is Minister of, to consider the option of providing mains drains. That is all it is. Do not believe and do not be misled that it creates priorities; no. What it will do is when eventually the policy comes back to the States, which deals with this issue, it will answer the question of the individuals that are included in that list. But it will be a clear and reasoned answer. Not a bright idea from a Minister who is yet to finish and consider all the aspects of a particular policy. I ask you to support my amendment and ask for the appel.

The Deputy Bailiff:

The appel is called for on the amendment of the Deputy of St. Ouen and I invite Members to return to their seats. The Greffier will open the voting.

POUR: 24

Senator L. Norman
Senator T.J. Le Main
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy R.G. Le Hérissier (S)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John

CONTRE: 21

Senator S. Syvret
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator B.E. Shenton
Senator J.L. Perchard
Connétable of St. Helier
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (H)
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy D.W. Mezbourian (L)
Deputy A.J.D. Maclean (H)
Deputy I.J. Gorst (C)
Deputy of St. Mary

ABSTAIN: 0

The Deputy of St. Peter:

If I could just offer a point of clarification on the documentation that was put in front of us - in case the Connétable of St. Ouen has got crazy ideas on getting extra rates - Sunset Nurseries is, in fact, in St. Peter, not St. Ouen as put on the paper.

Connétable of St. Ouen:

If I could pass my piece of paper to the Deputy, I have already marked it. **[Laughter]**

Deputy G.W.J. de Faye:

I would like to congratulate the Deputy of St. Ouen on his successful adoption of his amendment. I understand that he may be disappointed at the result of this morning's election but I would be very delighted as compensation to offer him a seat on my new liquid waste strategy group. **[Members: Oh!]**

The Deputy Bailiff:

We return to the debate on the objectives and performance of the Transport and Technical Services Department.

4.2 Deputy R.C. Duhamel:

In broadly supporting the objectives and the budget for Transport and Technical Services next year I would however like to make one or two comments. First of all, to thank the Minister for his thanks of the support that the Environment Scrutiny Panel has given him over the soon to be

adopted, one would hope, satellite green waste reception site and to secondly, just to take slight issue with performance/success criteria objective one, page 104, item 2. Now, we have to be a little bit careful when we are reading these documents. We can only go by the words that are on the page and the interpretation that we place upon them. So we have to be a little bit careful because it does say that a performance/success criteria for composting is that plans would be on track to complete new in vessel composting facility - singular perhaps, we do not know - in 2009. One of the arguments that the Environment Scrutiny Panel has been putting forward is not just to have satellite green waste reception sites, but that perhaps there is an alternative to looking for one very large facility to be placed down on a St. Helier site, perhaps down at La Collette, but we are looking, and have looked, at perhaps completing the job at the green waste reception site should those sites be big enough and satisfy all the environmental criteria that the department is still looking at. So it does strike me as being a little bit suspect that we do have the statement under 2: "Plans on track to complete new in-vessel." Had it said "a new-in vessel composting facility" then one would have expected the sentence to mean there was going to be one and the department are hoping to complete one, and that is what we were all being asked to agree to in 2009, so it will not be next year anyway, it will be the year after. But by missing out that little word "a" and putting "facility" which is the general word, which could be interpreted to mean capacity for in-vessel composting, that does in fact leave the door open, in my view, to the potential viability of having more than one plant and saving a bundle load of funds to boot. I think we need clarification on this point, Sir. Secondly, and probably more importantly, I was a little bit disturbed that perhaps the Minister in describing the performance/success criteria under his objectives, and he did not read them out in full - and that is my major point, Sir - under objective one, Disposal of Solid Waste and Minimal Impact on the Environment, item 4 does not start by suggesting that one of the key performance areas is going to be judged on the implementation of the preconstruction and ground works for the new Energy From Waste plant to be completed at Bellozanne or down at La Collette. Now, this, if members read the transcript when it comes out, is the way that the Minister itemised what was in part 4. He failed, Sir, to read out the first part of that objective which sets the whole thing in context, which was that a decision on the replacement for the Bellozanne Energy From Waste plant by a technology to be determined by the department and the size and costing and all the rest of it, to be brought forward to the States for approval. So we do not do things back to front, we are not putting the cart before the horse, and presumably once the approvals have been given, or not, then whatever implementations of preconstruction and ground works for whatever new facility will then go ahead to be completed. Now, I am hoping, Sir, that it was just a slip of the tongue of the Minister in referring to the second part of the sentence, in that the performance criteria would be to implement the preconstruction works first and then maybe at some later stage, next year, when the States are asked to decide on what facility or facilities might be, that the argument is not put forward to say: "Well, hey, wait a minute, last year you gave tacit approval for us to expend however many millions of pounds [and I do not think it is completely itemised within the budgeting figures] sums of monies on construction, works and ground works", and these are done and, of course, no sensible person or States Chamber would have expended those sums of monies only then to have them wasted because you are wanting to make a different decision, perhaps one which does not require those specific preconstruction or ground works to be made. So I make that point, Sir. As I say, had the Minister come forward and read out item 4 in the correct order then my mind would not have kind of leapt at possibly the wrong conclusion, but I would much prefer to be here being told exactly what it is, is in the mind of the Minister when he chose to use the words that he chose, and that perhaps my interpretation, and perhaps his interpretation that he could derive from at a later stage, is not the correct one. It would be fundamentally wrong, Sir, just to recap, for this House to endorse sums of monies for ground works only to find at a later stage that they were not needed or monies had been expended to the extent that they did not have to be. We are all in this game of doing things in the proper order and I would go along and ask the House that if they are going to agree with the overall objectives for Transport and Technical Services, that they go by the wording which quite clearly says that the decision for the replacement will come first and then

knowing what it is that we want to build, if at all, then whatever works are required to construct that facility, by way of reconstruction or ground works, will then be done.

4.3 The Deputy of Grouville:

In the Minister's integrated travel and transport aims there is much mention of cars, car parks and the new bus contract. While the Minister touched on cycling in his opening comments, I see little evidence of any encouragement to cyclists or a construction of any further cycle tracks, namely to the east. I know the Minister is going to come back and say: "Well, there is a lack of funds" but I would like to see some of his budget redirected from road maintenance perhaps to an eastern cycle track which would inevitably save road use and maintenance. The Minister has indicated to me in the past that he is supportive of such a scheme but I would like to see some evidence of it in his Business Plan.

4.4 The Deputy of St. John:

I was wondering if the Minister could answer a few questions. Parking income is currently just under £1 million from an estate that must be worth many, many millions of pounds. Does the Minister feel that this is a good return on the capital employed or would it not be better in private hands and the proceeds perhaps being used to extend the sewers and many other things too, with plenty left over for the rainy day fund as well? I wonder what his thoughts are on that. Also, does the Minister think that funding for the set up of kerbside recycling collection should come from the parishes or from TTS as after some 18 months of a successful pilot scheme in St. John, which is already acknowledged, not a single other parish has implemented something similar. Now, I am disappointed a bit in the Connétables on that front but I have spoken to many of them and they have said: "Well, it is a question of funding." A little bit easier in St. John where we only have 1,000 households, quite different when dealing with St. Saviour's or another parish. So there is quite a big set up cost. Does the Minister not think that more assistance should be given to the parishes or does he think the Connétables should be finding the funds themselves? Also picking up on the Deputy of Grouville's suggestions about cycling. One of his policy initiatives is, of course, to develop cycling tracks and more facilities for cyclists but where in the budget is this money going to come from? It is not indicated. Would he consider attempting to work in partnership with landowners to possibly use small strips of land on rural fields, particularly those that are adjacent to main roads because although the green lane schemes are commendable, they do not go anywhere? They certainly do not take you to town where many people would like to cycle to work but are quite worried about getting knocked off by lots of traffic. So would he consider that, and where is the money going to come from for his policy as it stands?

Deputy G.W.J. de Faye:

I am sorry, if the Deputy could give way, I did not quite understand the last point the Deputy of St. John made. He appeared to be stating that he was concerned about green lanes not going anywhere. I am struggling to find how I might devise a way for green lanes to go somewhere where they are not going already.

The Deputy of St. John:

I am happy to clarify that, Sir. Green Lanes are designed really for tourists, in particular, and locals to enjoy the countryside. They do not go to town where we are suggesting people should get out of their car and on to their bike. It is a bit difficult to do with the Green Lanes, although I am sure you could use some of them. I am just suggesting that, as the Deputy of Grouville was suggesting, more cycle tracks would be desirable by many and would obviously fulfil the remit of environment but, of course, his own policy of getting more people out of their cars. Finally, Sir, in the accounts there is no mention of the Safety Grants Panel which, of course, is now under the control of the Minister, and I appreciate it is a separate fund. But I would like to know perhaps why it is not even mentioned in the Business Plan as to what his plans are for it, whereas in dealing in the Home

Affairs case, of course we do indicate what is happening and what the amount is for the Criminal Injuries Compensation Fund. I do wonder whether that should be visible clearly in his area because it is now under his control. That is all I have to say.

4.5 Deputy S. Power:

I have three questions for the Minister. The first one is based on objective one, which is the Disposal of Solid Waste with Minimal Impact on the Environment. Can the Minister confirm in his summing up how ground works for the EfW (Energy from Waste) plant can be undertaken or preconstruction for the EfW plant can be undertaken when this Assembly has not approved the technology? I refer the Minister to a debate on 13th July 2005 when the States gave then the Public Services Committee permission to investigate alternative technologies. Sir, my understanding is that this Assembly has not voted and approved the technology so how can he do preconstruction works and ground works? That is my first question. My second question is related to objective 4 which is an Integrated Travel and Transport Strategy and I bring the Minister's attention to item 3, a programme developed that will reduce peak hour traffic flows produced by 2011, on page 104 of the annex. My question is this: one of the essential objectives of the third point is to get people out of their cars and on to public transport or alternative forms of transport. Can I start again on objective 4 of the Transport and Technical Services Department? Can I refer to a programme developed that will reduce peak traffic? I was talking about how necessary it is to get people on to public transport and, as the Deputy of Grouville suggested, bicycles and motorcycles. Can I draw the Minister's attention to the fact that at the moment the extent of the school bus fleet operated by Connex now parks down at the Connex yard and the company that operate the cycling proficiency test for motorcycles have been moved out of the Connex yard? I must bring it to the Minister's attention the fact that school buses do not operate for the most part at weekends and the cycling proficiency test is run at weekends. Can the Minister address this issue as it is delaying the taking of cycling proficiency tests and it is part, in my view, of a successful integration of objective 4? My final question relates to objective 6 where we have a reference to whether to maintain public places and amenities. My question is: there is a very well used public amenity called the Railway Walk which extends from St. Aubin to Corbière. Now at the moment the surface of this Railway Walk is sadly in need of maintenance and repair. Part of the surface has deteriorated owing to pipe laying, cable laying and decayed leaves, and there are many broken benches. I think this element of recreation could be used a lot more effectively if it was cleaner. So, can I ask the Minister to address this in his summing up?

4.6 Deputy S.C. Ferguson:

It was my understanding that a lot of the cycle tracks to the west of the Island were subsidised by the Tourism Development Fund because we have a lot of tourists over who use them. Can I possibly suggest that the Minister might like to discuss this with the Minister for Economic Development and Deputy Labey with a view to getting this underway?

4.7 Senator T.J. Le Main:

I would like to - I suppose really I should not be asking my fellow Minister questions in the Assembly but I have been concerned for a long time about the activities of the DVS (Driver and Vehicle Standards) Department under his control. I would like to question the Minister on the role of the DVS and its application of the controls and laws regarding vehicles on this Island. Only recently I was in London with other Ministers on a day's trip to the House of Commons when we saw in London little electric vehicles being driven around, very small electric vehicles, and we were advised again there in conversation that the DVS or Jersey has very, very strict regulations that do not comply, that these vehicles do not comply with regulations. They are driving round London in the most horrendous traffic. Several of us Members went to the Lessay Fair a couple of weeks ago and everywhere at Lessay Fair in the area of vehicles were little electric vehicles, little vehicles, little diesels, and yet when you try to get past the DVS in Jersey we are quoted, and people are

quoted, regulation upon regulation. We cannot get them into Jersey, they do not comply with Jersey regulations. I would like the Minister to give an assurance to this Assembly that perhaps the time is right for an independent look at the workings of the DVS and if we are going to have a transport policy that attacks all areas of vehicles and vehicle use, then it is high time people were allowed to register brand new vehicles, they are allowed in the U.K., on the Continent everywhere, that will meet the needs of many people by having little electric vehicles and otherwise. Quite honestly, Sir, I think the time has come - and I know the Minister is well aware of my feelings on this - that the Minister ought to put his foot down and sort that department out and get some new regulations, if they need new regulations and new laws, that at least people can buy some of these very, very efficient eco-friendly little vehicles that could be used in Jersey at long last.

4.8 The Connétable of St. Brelade:

I would like to just refer to objective 6, principally paragraphs one and two. It is commonly felt that the state of our roads and paths and so on have come below the acceptable levels, and I would urge that there be no further reduction in the service from TTS in this respect. We have situations whereby, as a result of the smoking ban, we have fag ends all over the place and I have, in conjunction with the Minister, consulted with licensed property owners who have performed quite well and cleaned up, but we have the bits in between which have not been done. I would suggest, Sir, that we cannot afford any further reduction. I would also just say that I had the opportunity of meeting the responsible person in Guernsey for their Parks and Gardens Department and I understand that they, in fact, do quite a lot of private contracting out and turn a profit. Now, is this something the Minister should be considering in order to make up funds?

4.9 Deputy J.B. Fox:

I wonder if the Minister would be kind enough to add to his list that Senator Le Main is - motorised rickshaws is a very successful taxi service in Brighton in Sussex that I think is run by students that cover the peak seasons, et cetera. It is a set fare of £3 and it is a very effective service for moving around the Brighton area, and it is all covered by the local council, et cetera, and I think it is something that will be well worth looking at, that could be considered for here as well.

4.10 Deputy C.J. Scott Warren:

I know this has already been mentioned twice, but I did write it down before it was mentioned once and I fear it is again worth saying for the third time that I was rather annoyed to hear that it sounded as though the ground works were going to be commenced prior to the decision on the Energy from Waste plant being brought back to the States. That is under objective one. Under objective 3, and again, because I am speaking quite late in this debate, but it is worth I believe emphasising again, I remember on a Public Services Committee at the end of 1999 for three years, the lack of sufficient funding for road maintenance, road improvements, resurfacing, which the States appear never to learn and it is now costing considerably more to have a sustained catch-up campaign. I hope one day we will realise that we spend more when we delay in that sort of situation. Under objective 4, I congratulate the Minister and department on the increased numbers of passengers on the bus, and obviously the new Liberation Station can only encourage more bus passengers. I very much regret to hear his comment of insufficient funds to prevent any further expansion measures he might have had and I wonder if he could comment on that.

4.11 Deputy A. Breckon:

A number of other members have mentioned car parking but I understand that Minden Place car park is to be knocked down. I cannot really understand that. Obviously it is somebody's recommendation who does not have to pay for it and there is going to be a car park rebuilt in Ann Place where residential accommodation will be knocked down, which again has a cost but again it is somebody's recommendation. I wonder if there is any joined-up government thinking about that. I also understand that we are to lose the Esplanade car park and the questions relating to this really

are; where are we with the car parking and the accommodation and things that other members have mentioned? Are we accommodating the car? I must commend the public transport system, it is a considerable improvement. I do use it and it is clean and comfortable and it is well used by young and old alike and accepted. The growing numbers are a testament to that, so I think congratulations to all concerned for that. But that question is really where is the joined-up strategy? I know there has been some balancing of fares on buses but how does that fit with car parking? Are we going to penalise people with cars? Are we going to look at private car parking spaces? Is there any link with Planning on some of this? There is still a lot of car parking around the town. Some in some prime areas that could, in fact, be perhaps residential. A number of Members have mentioned cycling, and I must confess that I am not a double act with the Minister but I understand that the Parish of St. Helier received £250,000 from the Tourism Development Fund and there are a few stands around the place but the thing that is most apparent is these green rectangles on the road. I am not sure where they really go, and in some dangerous places, so I do not know if it is part of a cycling strategy, but that is the most apparent thing. So, perhaps the Deputy of Grouville and the Minister for Transport and Technical Services should maybe question what has happened to that money because I understand it has not been spent. So that could be something that might open up a link for cyclists from the east. The Minister also mentioned pressure on some of the public services, and I think really we must congratulate many of the staff. If you have a look around the town sometimes late at night or early in the morning, there is sometimes a terrible mess around, and when most people hit the streets, 8.00 a.m. or afterwards, it has been cleared. With the Parish of St. Helier, really I think congratulations are due to all concerned there because they do it clearly day in and day out, and that includes weekends, and many people do not see it. So it is a sort of invisible service but it does generate some work and sometimes it is not a very pleasant task, so I think staff have to be congratulated on that. The other thing is, some of the areas that the Minister has responsibility for maintaining have some fairly high public profile for the locals and for visitors alike, and I think it is a false economy to cut back any further because if litter is blowing around the streets and the parks are not kept, and whatever else, then people take a view on that. If they are visitors perhaps they go somewhere else, so I think the Minister is absolutely right in saying, perhaps, enough is enough, we have to stop somewhere, and I think he has gone past that point if staff are stretched to that extreme. The other thing in objective 4 is the replacement car park for Gas Place has been identified but to my knowledge there is no funding in any stream for that unless it is proposed to sell something else or raise it in another way. So perhaps the Minister may touch on that in his summing up, Sir.

4.12 Deputy K.C. Lewis:

Last year, Sir, I did ask the Minister a question regarding the Energy from Waste plant which I received, I think he referred to as a robust defence. Can the Minister confirm that he has read, in fact, the Buncefield reports and that the Minister will take note of its recommendations? Likewise objective 4, the implementation and preconstruction of ground works when new facility completed, that has already been stated. Car parking which is something I brought up earlier in the year, and to echo Deputy Breckon's comments, the Island Site on the front will be losing the car park next to Romerils, Gas Place and Minden Place, and as I pointed out earlier on in the year, if we follow this line we will be ripping the heart out of St. Helier unless alternative car parking is put in place prior to these being removed. Also I think we need greater co-ordination with road works. I live in Georgetown Road and the road has been up so many times I know some of the workmen by name. Rickshaws: I do not have a problem with rickshaws running by the sea wall between St. Helier and St. Aubin but definitely not in St. Helier because I think that will slow the traffic so much it will put an extra 20 minutes on the journey.

4.13 Deputy P.V.F. Le Claire:

On the back of Deputy Kevin Lewis, the explosion in Buncefield has made us think again about what we are doing at La Collette in a number of ways and it was echoed again when another

explosion on 30th March of this year at an eco-oil site in the Kingsnorth industrial estate occurred requiring 15 fire engines to battle the blaze, and the upshot of it was that 50 tonnes of PFOS contaminated material entered the Medway which caused concern for the scientists in respect of the fact that it was into an environmental and ecological area, although some containments were delivered. The agencies then surveyed 86 oil fields and storage sites and found that 57 were operating at below good practice and with a further 19 sites that were operating with serious shortcomings. Overall, the Transport and Technical Services Department, as one would expect, has been keeping an eye on provision for an Energy from Waste facility in conjunction with the new information from Buncefield, and have now been overseeing, as we see in the capital report, new funding that is going to be supplied this year of £4.4 million at La Collette to replace the fire fighting equipment there. So £4.4 million in 2008 to replace the fire fighting equipment at La Collette because it has been identified that that is necessary. I am wondering whether or not we have had the Health and Safety Executive looking at our sites, as they have looked at these other sites in the U.K., major oil storage depots, and whether or not the Minister can tell us when they are told to implement safety upgrades whether it is the Government or the oil companies that pay for the increases to safety for the community? £4.4 million to replace the fire fighting equipment, I am wondering if that was in the U.K. if that would be borne by the petrol companies?

4.14 Deputy G.C.L. Baudains:

Firstly, I would like to endorse the comments, I think it was Senator Le Main who made them, with regard to DVS because it does seem that we need a review of that service. There does seem to me, has seemed to me over a period of time, possibly unnecessary bureaucracy and a “cannot do mentality” that exists in that department. What I wanted to address, Sir, it probably sits under objective 2 and 3, and the subject we were talking about earlier in relation to the Deputy of St. Ouen’s amendment, and that is my concern with regard to both the drainage and road works, and that is the requirement by the department that people use approved contractors. Now, if you need to extend your drains and connect up to the main drains, you have to use an approved contractor. Now, some of the estimates and quotes that I have seen are unreal. I have been advised by more than one developer that they could do the job to the same standard even overseen by the department for one-third of the price. This really does need to be looked into and I can say the same thing about a road that has recently been constructed, the developer was not allowed to construct it, it had to be constructed by approved contractors, and again I was told that he could have done it for one-third of the price even if he had had people overseeing the job to make sure it was done to a satisfactory standard. It does seem to me that there may be the possibility of a cartel operating here. Some of these approved contractors do seem to be putting in extremely expensive prices and I would like the Minister to look into it.

4.15 Deputy G.W.J. de Faye:

There have been some interesting contributions. I think first I would like to tackle the query about whether it is a universal composting facility or facilities. What I can say is it will be at least one because we have to have one. The current situation of open windrow we know causes odour problems for residents of Havre des Pas in particular, and it is vital that we have an enclosed plant. Whether we end up with more than one is another matter. It has to be said straightforwardly to Members that you need personnel to run plants. Building plants costs money and more than one plant costs more money. So if I can do the job with one I think that is a pretty good start. I am a little disappointed that States’ members keep forgetting decisions that they have made and then accuse me on the back of that. The fact of the matter is that we have decided that an Energy from Waste plant with technology to be finalised is to be constructed at La Collette subject to environmental impact assessments and the appropriate planning application being approved. As I know any member who has taken an interest in the past will know, the designs for the plant that we are submitting is for the worst case scenario. There are a number of plant options on a tender list - it

is now a shortlist - and we have, as it were, taken the biggest box that might be needed to put the plant in. It may be a smaller box.

Deputy R.C. Duhamel:

The Minister is incorrect again. This House has not decided on an Energy from Waste plant or the type to be decided. This House has decided on an end treatment facility plant of some description which the TTS Department would like to be an Energy from Waste plant, but the final decision is yet to be made.

Deputy G.W.J. de Faye:

Well, I am not going to split hairs with Deputy Duhamel because he is an expert in that area. Nevertheless, we are pressing ahead with a plant to satisfy Jersey's waste disposal issues. The planning application is about to go through as the design is finalised, and once that planning application has gone through there is nothing to prevent ground works beginning other than to cause unnecessary delay and waste of time because, quite simply, it is largely irrelevant in respect of the ground works as to what is going to be sitting on top of it. We are talking about preparing an area of land at La Collette for basic foundations. If I may finish, because everybody seems to know this and has their own versions and I just indicate what the department's version of this is, the planning application will or will not be approved. If it is not there will be no ground works. If it is, the ground works will start and at the same time I will be coming back to the States with my recommendation as to the best choice of the short list of those plant technologies that are available for disposing of waste, ideally a plant that will derive energy from that waste. That is the sequencing and I simply remind members that we simply do not have any time to waste. Bellozanne is falling to bits. It could completely conk out next week and we will have a very unpleasant and difficult situation on our hands. That is why it is entirely sensible to progress the ground works. What we finally put on top of the ground works is the item that will go into the box and the box design will already have been decided in advance. So I do hope that members will understand that, but I will pause now and give way to anybody who would like to come up with an alternative version. **[Laughter]**

Deputy P.V.F. Le Claire:

Could I ask the Minister, Sir, when one is preparing the ground for something, surely one must have cognisance of the overall land mass that it is going to require and also the load factor when putting on the plant. Surely a mixture of solutions requiring maybe a murrhing plant which can be constructed at present within an ordinary agricultural shed does not require the kind of construction and foundation works that one would expect to have to cover if one was putting in a huge incinerator, for example.

The Greffier of the States (in the Chair):

Not another speech, Deputy, please.

Deputy P.V.F. Le Claire:

Well, he asked if we had a question, Sir. I am getting to the question. Has the department determined the load that is going to go on to the foundations and, if it has determined the load, then surely it must have determined the actual methodology of how it is going to treat things?

Deputy C.J. Scott Warren:

I wanted to ask, surely it is *ultra vires* - and I am not trying to be difficult to the department - for a planning application to go in for an Energy from Waste plant when we have not made the decision of the type of waste disposal facility in this House yet.

Deputy G.W.J. de Faye:

Well, Sir, I regret to say some members think this operation is being carried out by Bob the Builder. It is not. The States, if I may remind members who are suffering memory lapse, have approved the location and on that basis the department is able to proceed with a planning application based upon a design for a plant that will go within a building and, as I have said, in order to progress matters as speedily as possible the environment impact assessment has already been undertaken and that includes additional delays to deal with the Buncefield issues, which I will come to in due course. The department is doing nothing that has any relation to doing anything *ultra vires*. We are simply pursuing decisions that have already been made by the States. We are following processes that have been laid down by the States, and in due course the States will deliberate on what it is, I shall and the department will, put in the box. It really is as simple as that. If I may proceed, the Deputy of Grouville - and I know her enthusiasm and encouragement for cycling issues - again presses her point as do other members. I do not concur with the view, I have to say, that I should take money out of the road reconstruction budget. It is a nice idea in terms of priority shift, but the fact of the matter is that our road situation is so serious that if I take money out we will continue down the deteriorating position. We are just about treading water as it is, and it simply does not make sense to interfere in that budget. Our position on providing what I would very dearly like to see and encourage - new cycle paths and tracks around the Island utilising areas that are perhaps off main road and screened by hedges and banks and are entirely safe for pedestrians and cyclists to use - a lovely project to pursue over years to come, but they were all posited on the emergence at some time of environmental taxes. As members well know, the first attempt to produce an environmental tax has disappeared up its own exhaust pipe, so we do not have any money in the pot. That is the simple position. The Deputy of St. John raised a good old under the chestnut story about whether we should really be responsible for parking and car parks and surely it would be better to hand it over to private individuals. It is not the first time this one has been around and, indeed, it was only a matter of a few years ago when a major private car park operating chain in the United Kingdom came to Jersey to make exactly this type of assessment. Members may be interested to know that they basically walked away baffled, not knowing how the department managed to run car parks with so few personnel. They simply said: "We would employ more people than this. Our running costs would be greater and we do not really understand how you do it but, in essence, we would not as a private contractor be interested in trying to take over this operation because we could not do it at the prices that you do it." So I think that over the years the public of this Island have had a jolly good deal in terms of car parking charges, multi-storey car parks and so forth. Funding for kerbside collections, well, here the Deputy of St. John raised something that would, frankly, tie us up for 2 days I think if we were to debate it in all seriousness. Should kerbside collections be the responsibility of my department and the taxpayer or the responsibility of the Connétables and the parishes? I do not know. I imagine that parishioners would like to know what they get for paying their rates, and if the Connétables suddenly were not doing collections I am not sure how much left they would have to offer as to what you were getting in terms of your value for money, bang for your bucks for rate paying. The Connétables may know better than me but I think there is an issue there of who should be doing it. That is one, I think, for the future. Again, the Deputy said he would like to see more cycle tracks. I agree with him. I do not think he should really have waved what has happened to the Community Safety Grants Panel money at me because I had enormous difficulty extracting the money from his department, which in my view I think made some rather questionable awards, including a portacabin for DVS before it was under my authority. Quite how that comes under Community Safety Grants I will not ask for an explanation. I just simply think that that was not entirely appropriate. The reason that the Community Safety Grants money is not in the Business Plan is because I deliberately asked for it to have nothing to do with rolling revenue in order to keep civil servants from the temptation of dipping their hands into it to use on a revenue funding basis. At the moment I am in - I have to say regretfully the Treasury Minister is here and I have to inform him directly - what I have described as tortuous negotiations with his department to set up this money in an entirely separate and high interest-earning account so that it is used in a sensible way and is effectively ring-fenced from being ransacked for other elements. But that is

why that amount - and it is a significant amount, about £250,000 - does not show in the Business Plan. It is because I want to keep that money safe. It is the money raised by the auction of Jersey driving licence number plates and I do want to ensure that that money is put to proper use and no one can get their hands on it inappropriately. I think it should be sitting in a high interest account and I cannot understand why it is so difficult to put some money in a high interest account so that departments cannot get their hands on it, but there we go, that is something I am sure the –

The Deputy of St. John:

Point of order, Sir. All I was trying to suggest was that the money should be transparent and it should be seen. The Deputy has just told us that it is £250,000. It is interesting and members should know that and I think it should be clear how much money that is and where it is sitting.

Deputy J.J. Huet:

It was £250,000 when it was on Defence.

Deputy G.W.J. de Faye:

Well, I have never attempted to hide this matter and I hope in due course it will be transparent, but it just will not be transparent in this document because this is all about revenue budgets and it is not about things that should be kept out of revenue budgets. Deputy Power I think again had concerns about whether we should start laying foundations before we have decided what sort of machinery is going on top of it. Well, I am afraid I am just going to have to beg to disagree with some members on this issue. I want to get on with the job. If members see grounds for continuing the delay, all I can say to you is fine, I have issued these warnings before. The more this project gets delayed, the more the kit is going to cost, and we are talking about going up in the order of millions of pounds every year or so. So if everybody thinks that we want to delay and pontificate longer and longer and longer, fine, but I do not. I think we should get on with it and that is my position and I will be hard pushed to be detracted from that. I will look into this issue about the school bus fleets parking in the Connex yard and conflicting with a lesson for cyclists at the weekend, although I have to say I am not sure what I can do because obviously the weekend is when the school bus fleet is going to be parked somewhere. But I do give the Deputy an undertaking I will look into that. The situation as far as the railway walk is concerned, well, it would be so nice if it had roses and honeysuckle all the way down and some lovely surfacing and so on and so forth. I have already made it very clear the department has had to take substantial cuts over the last 5 years and I am sorry, Deputy Power, we talk about this so much I really do not want to hear any more. There must be a number of ways of skinning this particular cat, but it is not going to come out of funding that I do not have. I am very happy to talk to the Deputy or any of the St. Brelade Deputies. I am sure, in fact, the Connétable may wish to adopt the railway walk and you can all go up and down it together and identify litter. As I know Deputy Le Hérisier is a man leading in this field - I know he spends most of his weekends down at Rue des Prés trading estate - he is clearly a part-time botanist and I am sure he will be working very hard to get donations from all those flourishing businesses down there. He assures me that high-flying businessmen jet in from all round the world to visit. I am sure they will have just a couple of bob left over to sort out the ragwort problem, but there we go. I am sorry that Senator Le Main remains so deeply suspicious of Driver and Vehicle Standards. I have prised them out of the hands of Home Affairs, for goodness sake **[Members: Oh!]**, and I can assure him there is a wind of change and a breath of fresh air. Not perhaps quite the typhoon that Senator Ozouf would have whizzed through a department, but I have my own style and things are moving at DVS in a different way. It is a “can do” department, despite the rumours. He is right. I too am very enthusiastic about the number of electric vehicles and the changes in transport technology, but regrettably we have some quite tough laws and regulations that apply. It is not something we should be necessarily shy of. Do not forget that Jersey was in the forefront of saying no to bull bars and we were then, having taken that initiative, followed by many other areas. So I think before we chastise the department for basically just doing their job and administrating the legislation, we need to

understand that there are difficulties. Quite why I am getting lectured on rickshaws today when I am the person who thought of them in the first place I find extremely puzzling. I myself have put forward certain types of, in fact, what I thought was a rather marvellous solar-powered electric-motored rickshaw, but it is the case that the chassis weight was some 75 kilos over what our regulations allow. Now, I undertake and I tell the Senator that we are looking at this and at some stage I will be taking a view on it once the States has adopted the Travel and Transport Plan, but I am afraid Rome was not built in a day. DVS are tied up in all sorts of other areas. You will have seen the number of road checks that have been mounted lately. We also are dealing with the taxicab industry. I simply cannot ask the department to move mountains given the number of jobs they have to do. I thank the Connétable of St. Brelade for his comments on cleaning, but I need to remind him and other States' members that we simply cannot have this both ways. If we want spic and span Jersey you are going to have to pay for the cleaning to be done. If you want my department to carry out cutbacks which involves natural wastage, losing staff, reducing budgets, then the services that you have come to expect will be diminished. You just cannot have it both ways. So I am happy for the Assembly to perhaps come to a conclusion which way it wants it, but in the meantime I regret that the situation is as it is and I still have 10s of thousands of pounds to cut next year so it is not going to improve and let me make that clear now. I really do not want to wander, frankly, Connétable, into whether this should be contracted out. I think you have to understand every time we wander into an area of what needs to be privatised it is, in fact, a very delicate issue, particularly in my department which has a very large number of manual workers who are all members of the Transport and General Workers Union and -

The Connétable of St. Brelade:

If the Deputy would give way, the converse is what I was suggesting. I understand in Guernsey the States' Department contracts in work.

Deputy G.W.J. de Faye:

Well, I am happy to sit down with the Connétable and discuss alternatives, but I do want to remind members before we get out the old chopping block and start slicing away at budgets, this is people's jobs we end up taking away and certainly I can say in advance - and I will do my promotion for amendment (9) as I think Deputy Ferguson did a while back - some of the impact on my department would unquestionably be potential compulsory redundancies and we do not even have the money to pay the compulsory redundancy payments. So I do hope that members take this cutting frenzy that may be in the offing very seriously indeed. Deputy Fox also talked about motorised rickshaws. Look, what can I say? I think it is a great idea. I would like to see them here. There simply are a whole number of legal issues revolving around them, not least of which are matters that would apply to charging for travelling. We have very strict rules about who is and is not allowed to drive taxis. The rules are there for very good reasons and at the moment those same rules would apply to people who were going around picking up individuals for transport around the Island. I will not go into detail, but the rules are there for good reasons. "Are we accommodating the car?" asked Deputy Breckon. Well, yes, we are because most people in the Island have one. Six thousand do not, but the car is the fundamental driver of our economy. I am confident that the Travel and Transport Plan will cover all this, as I am confident that we can solve car parking problems. The question that he asked about the funding for car parks, the funding comes out of the car park fund. The money accrued from multi-storey car parks goes into a fund for their own maintenance and also for replacement of those car parks when they require it. Deputy Scott Warren was disappointed about us not having extra funds for buses. Well, so am I. It is a shame that due to constraints of budgets just when buses appear to be really rolling along, the public are enthused, the figures are better than ever, I have run out of steam and we are going to have to now look much more closely at integrating and how we can use the current service more efficiently rather than, as I would prefer, as it were, roll with the flow and get more services on. That is a rolling project. That is subject to negotiations I have with the operator and I remain entirely optimistic that the local bus

service will go from strength to strength as it has done for the last three years. Deputy Lewis and also, I think, Deputy Le Claire raised the issue of Buncefield. Have I read the Buncefield report? Yes, because it is quite important. I have also read other reports relating to it. I think because I have answered questions on this before, members will know that as a result of the Buncefield report the U.K. Health and Safety Executive decided to review all the hazard zones around fuel depots. We have set up in response a local cross-departmental hazards review group that is well aware of what the potential recommendations of the U.K. authority are. That work is very well progressed to the extent that we have been able to satisfy the Minister of Planning that in respect of our local position the risk assessments show that it is appropriate for the department now to pursue its planning application. If the Assembly will just indulge me, I will give them a brief explanation of the impact of the Buncefield report and the extension or potential extension of the hazard zones. Risk assessment is carried out on the basis of threats to humans. Therefore, if you have operational activities taking place at, near or within a hazard zone, the important feature is how many people are involved. Therefore, operations that do not take up many people are often allowed to proceed, either proceed if they are already in existence or proceed as a development. It will be clear that our original plans to have a reuse and recycling centre at La Collette similar to the one that I recently opened at Bellozanne, which proved tremendously popular with the public, that would be inappropriate now to site at La Collette because it would be encouraging large numbers of people to turn up to an area where there is a potential hazard. The risk assessment mitigates against that type of development. However, because both an Energy from Waste plant and also an in vessel composting plant are both industrial type plants that have very low numbers of personnel to run them - indeed, some in vessel composting plants are fully automatic and would have virtually nobody involved, and similarly Bellozanne itself has a relatively low number of personnel - those plants come within what the acceptable risk assessments allow because there is a very low level of threat to human life. That is how the theory works and that is essentially the position we are in in terms of local hazards. The final document will be available for States' members when it is finalised and you will all be able to see the broad explanation of what I have just said. The replacement of fire-fighting equipment as I understand it is a separate matter. The existing equipment just needed replacing but I regret I cannot tell the Deputy off the top of my head who is paying for it. I would be happy to try and find that out.

Deputy P.V.F. Le Claire:

I stand to try and offer some help, not to be difficult, but £4.4 million is identified on page 29. I just thought that my point was not really so much if it is coming from his budget or the States' budget. My point was I wondered, seeing as he has been looking into the Buncefield issues, whether or not in the United Kingdom the improvements to safety have been paid for by the oil companies or whether or not they have been picked up by the local councils.

Deputy G.W.J. de Faye:

I regret I simply cannot answer the Deputy's question at this juncture. Finally - and I am sure members will be relieved to hear that word - Deputy Baudains brought up the use of approved contractors to carry out sewerage works. Well, I understand what the Deputy is saying. I hear where he is coming from. We are where we are, and numerous other apocryphal phrases. The reality is, of course, that standards are required. Like anyone, I would be nervous about a non-approved plumber and a non-approved electrician coming around to do any work in my house. The same applies to sewerage works. If there are, indeed, high charges, clearly there is an implication there. I do not believe it is, though, a matter for my department so much as the Jersey Competition Regulatory Authority on the one hand and also a pretty firm indication to me that a number of contractors probably need to get approval or get their approvals for doing drainage work because it seems to be a highly lucrative field to move into. I regret my personal opinion is this is an area where market forces apply. If there are high charges, well, is it a cartel? Is it not? If the Deputy believes it is, I think it is a matter he should put before the Jersey Competition Regulatory Authority. May I thank

members for their interest, limited though it may be due to the number of calls for being inquorate that we had, and I propose the plan.

The Greffier of the States (in the Chair):

The appel is called for. Therefore, if members are in their designated seats, the Greffier will open the voting for or against the objectives of the Transport and Technical Services Department.

POUR: 36

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 4

Connétable of St. Mary
Deputy R.C. Duhamel (S)
Deputy J.A. Martin (H)
Deputy S. Pitman (H)

ABSTAIN: 0

5. Annual Business Plan 2008 (P.93/2007): Objectives and Performance Criteria for the Treasury and Resources Department

The Greffier of the States (in the Chair):

Very well. We come now to the objectives of the Treasury and Resources Department on pages 118 and 119. I invite the Minister to propose the objectives.

5.1 Senator T.A. Le Sueur (The Minister for Treasury and Resources):

I have been urged to be brief in my comments and I have no objection to doing that, particularly if I have to speak a further seven times and I will speak at greater length when we come to parts (b) and (c) in particular of this proposition. As members can see from the details on those pages of the Annex, the responsibility of the Treasury and Resources Minister covers three main areas: direct Treasury functions, income tax and G.S.T., and Property Holdings management. I am pleased to present the five main objectives for the department as shown on pages 118 and 119. Primarily they are about managing change, managing change in the best possible way. The overriding objective of my department is to maintain sound and sustainable public finances. It achieves this by integrating the activities of the Treasury, Income Tax and Property Holdings Departments. I will speak first about the Treasury because the Treasury is the hub of all activities and it takes the lead on strategy and policy, the planning of States' expenditure and the effective use of States' assets. Ongoing objectives for 2008 include the implementation of the key elements of the fiscal strategy including G.S.T. and "20 means 20". Another objective is bringing proposals regarding the future ownership of Jersey Telecom, the move towards GAAP (Generally Accepted Accounting Principles) compliant accounting and, finally, a States' procurement strategy that will deliver £1.9 million of savings every year across the States. Those objectives have to be met against the backdrop of a funding reduction of three-quarters of a million pounds since 2005, which equates to some 15 per cent of our budget. As far as income tax is concerned, the Income Tax Office is responsible for the administration and collection of taxes and as such it faces two significant challenges in 2008; first regarding the implementation of G.S.T. and the second the implementation of the Zero/Ten regime. Each of those topics is a major issue in itself and although we have been fortunate in having an extended timescale, we have needed and we will continue to need every day of that timescale if the fiscal strategy is to be implemented in a timely and understandable way. I believe we have the ability to achieve these massive changes, and I am delighted and proud of the achievements of the department in recent times. It has delivered the implementation of the ITIS (Income Tax Instalment Scheme) system "20 means 20" is underway, and I have every confidence that the remaining demands of the fiscal strategy will result in a similar outcome. Finally, in terms of Property Holdings, the Property Holdings Department will continue its developments in 2008 and I am pleased to announce the appointment of a new head of Property Holdings, Mr. David Flowers, who took up his post this week. I remind members that the key objectives for 2008 are, firstly, to ensure that our portfolio of property assets is well managed and well maintained; to complete the restructuring of Property Services into a single entity with an integrated property database and management system; to achieve annual savings requiring a further £600,000 in annual revenue savings and a further £1.6 million in capital; and to ensure that a master plan is developed for the East of Albert site. It will also monitor the capital programme, which will feature major projects such as the new police headquarters, and ensure that these are delivered on time and within budget. Sir, this part of the debate is primarily about objectives. Details of the service analysis can be found on pages 123 to 125 of the Annex, but I propose the objectives of the Treasury and Resources Department.

The Greffier of the States (in the Chair):

Are the objectives seconded? [**Seconded**] Does any member wish to speak on the objectives?

5.1.1 Deputy P.V.F. Le Claire:

Short and sweet, the objectives are to follow States-agreed policy to implement G.S.T. and Zero/Ten and other such issues that the Treasury and Resources Ministry has been pursuing over the last few years. Without any more to do, just to say I will not be supporting the Treasury and Resource Minister's Department because of those issues. I do not believe that they are the right ones for Jersey. I think we have made some mistakes. I think Zero/Ten has been the wrong decision. I think the Goods and Services Tax has been deliberately because of the wrong decision, and subsequently, although there are some good individuals within the department and some good politicians heading up the department, I am afraid I personally believe the advice they have

received and they have taken on has been the wrong one. Without further ado, I am not going to be supporting this, while I do recognise that they do work hard in trying to do what they do best.

5.1.2 Deputy S. Power:

I wonder if the Treasury Minister could clarify objective 4, a single corporate property function across the States' property portfolio. I wonder how he would reconcile that with P.6/2007, which was the States' Social Rental Property Plan, Harbour's own portfolio of land and the Waterfront Enterprise Board, and would he prefer to have all States property under Property Holdings?

5.1.3 Deputy G.C.L. Baudains:

Following on from the comments made by Deputy Le Claire, this is also to me somewhat good in parts but not others. I have a couple of clarifications that I would like, Sir. In objective (2)(v), whole life costing for capital projects implemented, a wonderful idea but we have heard this before, Sir. What I would like to know is how exactly will it be achieved? In objective (3)(iv), Sir, I think this has concerned a number of people, myself included. I think we all signed up to the fact that the £20 million efficiency savings was to go towards filling the black hole, but it does seem to me, Sir, that from previous information this has now been diverted to other unspecified uses. I would like clarification on that. Lastly, objective (4)(viii), Master Plan approved for East of Albert, it does seem to me that this presumes development will take place. I would like to know who exactly is leading this and where is the consultation?

5.1.4 Deputy A. Breckon:

There are a number of issues I would like to follow on with property and the management of the States' property portfolio. We heard yesterday from the Assistant Minister of Economic Development they are paying for new office accommodation £109,000 a year in rent, and it appears they have leases for a property in Bath Street and they have use of a housing office, the roles of which have not been defined. I am not sure that that is good management. I hear what the Minister says about someone else coming new to the job, so perhaps that is something they could address. But that £109,000 a year is public money that is being spent at a time when we are putting taxes on people, and I really do have to question if that is the best use of public funds and if that is really managing our property, when we are still leasing property when we have surpluses elsewhere. We also heard yesterday from the Minister for Education, Sport and Culture that people are rattling around in the department. There is no surplus of advisors up there, so again, are we utilising -

Senator M.E. Vibert:

I am sorry, I am being misquoted. I did not say there was a surplus of advisors; I said there was office space because we have so few administrators.

Deputy A. Breckon:

Very similar, Sir. The fact is there is space there that is not being utilised and maybe because we do not have a landlord and tenant agreement we see it as being free when, in fact, it is not free. It was mooted a time ago whether we were getting full use of the building that is used by Customs, whether that was fully utilised, and again I understand that is on a finance agreement. I understand also that we are paying a subsidy to the operator of the swimming pool down on the Waterfront. These are things that perhaps we need to bring together to find out if we are getting best use of public funds. We are talking about, for heaven's sake, taxing pensioners on a loaf of bread, so I think they might want to know some of the answers. I understand from figures that were produced as well that the department for about two years has carried more than 20 vacancies. Now, that may well be a rolling number and it may be a smoke and mirrors thing - and I know the Deputy of St. Ouen has looked at some of this - but really the question is there might be a shortage of auditors or accountants or whatever it is, but I notice there has been a change in the audit function and there are only two staff now and five have been moved to G.S.T., which is interesting and I will come back

to that in a moment. What I would really question is how any department could operate with that number of vacancies on a rolling basis, so I would perhaps like an answer from the Minister. With the accounts, I must confess I am not an accountant so it has been an interesting learning curve on the Public Accounts Committee. The Minister mentioned GAAP, which is Generally Accepted Accounting Principles, which is a reporting structure that perhaps we can understand: what were we supposed to spend the money on; what have we done; what is it benchmarked against? At the moment we are sort of looking at a great deal of money within this Business Plan and we are not quite sure exactly how it is going to be spent, and then if we spend round about that or a few bob more or a few bob less, we sort of congratulate ourselves but I am not sure we have the targets right. When we look at the reporting structure - and perhaps we do not look at this enough - if we look at the financial reports for 2006, there still seems to be lots of money that is sort of sloshing around. Just to give you an example of that, Sir, 31st December 2006, £102.7 million of consolidated fund expenditure relating to capital projects approved by the States had yet to be incurred. Well, if it is that important why have we not spent it? That is £102.7 million that was left at the end of 2006. The reason I say that is because if we are going to have these objectives, then some of the objectives should be in how we account properly for the money and also do we spend it on what we think we do because I am not always sure that we do. Another mention in those accounts which is worth, I believe, bringing to members' attention, Sir, is other significant unspent balances were £10 million in the computer development vote. £10 million of unspent money on a computer development vote. I am a bit wary of raising it because somebody might be trying to spend it as I speak, but if that is so vital why has it not been spent? I am not saying it should be spent, but if it should not, then it should return back to whence it came. That is why I think with the Generally Accepted Accounting Principles it is so important because - and I am not sure about other members - we must understand really what we are doing and what we are approving. I have never felt comfortable with approving big budgets. Sometimes you need to get your jacket off and have a look and see what it is and not just take it at face value, I would suggest. I want to move to the issue of Goods and Services Tax. I was looking at some of the documents that were produced by Crown Agents in 2006. The estimate then for inflation was between 1 per cent and 1.5 per cent. That was going to be the effect of three per cent. That is now changing on an official estimate, perhaps it is moving to two per cent, and part of the reason for that is that housing will not be included. I must tell members it will. Some elements of housing will not, but things like insurance, rates, repairs, DIY (do it yourself) materials will be included, so it is wrong to say that the housing element of the Retail Price Index will not be included. It will. From my experience and talking to other people out there, much of the cost of this will be passed on. It will be passed on to you and I. Many will incur costs and they will pass them on and it will filter through into the inflation rate. We have an inflation rate already that is over 4 per cent. If we add two per cent to that, three per cent to that, four per cent, whatever the number is - and it is an educated guess at this stage because nobody knows - then that will filter through also into residential and commercial rents. There is no out clause. I know because I have a lease and it says that. You pay the Retail Price Index. You do not pay it less something, you pay it. So for anybody to say it is a one-off is wrong. It is a cost that will filter through and it will be there for a number of years and it will be noticed elsewhere. Tourists will notice it as well as the locals. Even with some delay it will still happen. So I would say, Sir, this really does need a rethink and I think with a combination of savings, looking at other taxes, and there is some, and possible charges - I have mentioned about 5 times in the last couple of days elderly care insurance - people are willing to pay for something like this. It gives them some comfort even in retirement. It happens elsewhere. We have a workforce of over 51,000 registered with Social Security. It does not take a scientist or a mathematician to work out that a few pounds per week would generate a substantial fund. I think elderly people, people even in retirement, will be contributing to this and it is disappointing we have never really looked at it. We will look at it in the future, yes. We will have a review, we will do whatever. These are the sort of issues I believe, Sir, that should be related to Treasury and Resources, to Social Security and to Health. Also, Sir, in here we were told about the staffing for G.S.T.. If Members would look at the top of page 125, you

will see that 10 staff - 10 fulltime equivalents in 2007 - has become 13 in 2008. Also, in the end column it says that money has been transferred to Customs for two G.S.T. resource, so the question is, is 13 now 15? Some businesses have asked me, Sir, how often are we going to be checked, how many people are going to come round, because we fill in income tax forms or we did do once a year, we still do that sort of thing, and generally the inquiries are generated over the year, but what is going to happen here? Many businesses do not believe the staff complement that has been allocated to this is adequate. I say that, Sir, because there is a benefit, if you like, in gathering the tax, but there is also a cost and I do not believe the two have ever been put together to find out what the actual plus is because the cost will be significant for the local economy as well as setting this thing up and keeping it going. So somebody is going to press a button very soon after that so three becomes five becomes something else. It will, do not forget, be taxing indiscriminately those who cannot afford it and it will be on virtually everything. There will be no escape.

Senator F.H. Walker:

May I just raise a point here, Sir? These are the objectives of the Treasury and Resources Department. G.S.T. has been agreed by the States. The Treasury and Resources Minister has no choice other than to follow the decision of the States in this context. This seems to be to be turning into a debate on whether or not we should have G.S.T., which is not what is before the House.

The Greffier of the States (in the Chair):

I think the Chief Minister raises a valid point of order, Deputy. I was just on the point of saying something similar myself. I think you must relate your comments to the objectives of the Minister. We cannot have a G.S.T. debate today.

Deputy A. Breckon:

But in the performance success criteria, Sir, the programme for the introduction of the Goods and Services Tax says: "In 2008 developed and implemented." I highlight the points in there, Sir, about the staffing of that. The 10 that was agreed is not 10, it is now 13 or 15, and I think these are relevant points. The tax, as the Treasury Minister said at the start, was about Zero/Ten, it was about 20/20 and it was about G.S.T. He mentioned those points and it is that to which I have spoken and I am nearly finished, Sir. Just to conclude by saying that this issue should be seriously reviewed. It should be revisited because I think personally for the local economy and for those that view us from outside I think it is the biggest bungle this Government has ever made.

5.1.5 The Deputy of St. Peter:

If I can refer the Minister to page 119, objective 4, in the performance success criteria, (viii), can he confirm whether the approved Master Plan for East of Albert will take into consideration a proposal for the development of a deepwater berth?

5.1.6 Connétable D.J. Murphy of Grouville:

I intended originally to speak on the question of the Property Services Division of the Treasury. However, since we have a new Chief Officer going in in the very near future I would prefer to save those comments for a later date, but I would urge the Minister to look at the legal side of running this agency and let us know whether, in fact, he is going to have in-house legal advice and conveyancing or whether he is going to rely on the Law Department to do it for him.

5.1.7 Deputy C.J. Scott Warren:

With my former health hat on, I would just like to say that my understanding about a social insurance scheme - because it was raised by Deputy Breckon as an alternative to G.S.T. - is that this is contributions, it is not a tax which would go towards older people's care, residential nursing care and, better still, in their own home. That was the first point. The second is under objective (2)(ix)

can I just have confirmation from the Minister, please, regarding the ownership of the public utilities that the decision will come to the States?

5.1.8 The Deputy of St. Ouen:

A few short questions and points. The first is could the Minister confirm under objective (1)(v) that the first year of impact of “20 means 20” would be felt next year? Question 2 is regarding the property and the estate management function. Perhaps the Minister would care to explain or advise us whether or not the property assets of Home Affairs Department, the police service and the fire service which were supposed to be transferred in the first half of 2007, where they show in the accounts and, if they have not been transferred, why not? When will the transfer of the prison property happen? Also, it was suggested that there are a whole number of related budgets that were being transferred to Jersey Property Holdings in the course of 2007 and that they should have been reflected in the formal budget of 2008. Now, these are comments that were made to the PAC by officers of Property Holdings, so perhaps the Minister would confirm or otherwise whether this has happened and, if not, why not?

5.1.9 The Connétable of St. Helier:

Before we introduce new taxes, I believe that we need to be showing that we are sweating our assets, to use a phrase that is often used in the Assembly. I must say that I am disappointed that Property Holdings seems to have worked up so little sweat when it comes to the States’ considerable property portfolio. There are lots of examples one could mention and, indeed, in fairness to the Minister some of the properties that they have tried to make work for the good have been stalled: when they have reached the particular hurdle here, the Assembly has not felt that enough value has been obtained for them. Another one I suppose I might mention is the former La Pouquelaye School. The Minister could have taken a third of a million pounds off the Parish of St. Helier, subject to an Assembly voting it, of course, but that has fallen away because I suppose you could say he wants to get more out of it. I am concerned that there just does not seem to be a sense of urgency in the department. We have not had that many properties brought forward. We are not seeing that many properties offered. Surely this is an area that has to be really pursued with vigour. I certainly would hope that if there are new staff going into this department we are going to see that happening in future because I think the public will be less inclined to object to new taxes if it is clear that the States are really making their assets work. Perhaps they do not want to turn all their public toilets into cafés, but at least that does show some commercial sense on the part of those bodies who do that. Deputy Le Claire said he would be voting against the objectives because he does not support the implementation of the new tax, but as the Chief Minister has said that is an approved policy of the States at the moment. It is a bit difficult with some of the Business Plans and I have the same trouble with TTS where you do not approve of all the objectives but you approve of some of them. My own view on this matter - and I will be supporting the objectives of the Treasury and Resources Minister - is that how I vote will really depend on the success or otherwise of the PAC amendment to cut States’ expenditure. If that does not go through, then I will probably be faced with a decision to have to vote against the whole Business Plan. I would finish really with 2 words followed by a question mark for the Treasury Minister: States’ rates?

5.1.10 Deputy P.J.D. Ryan:

I rise really just to talk very quickly about the first item on the service analysis on page 123 of the book. It is about the preparation and production of annual budgets, the questions of forecasting, and that is a very big subject, the question of forecasting. As Corporate Services, because we only have so much of our own resources, we have concentrated this time around on looking at the way that the Treasury Minister and his team bring about their forecasts of the general financial framework, what is going to happen in the future. There are several cross references that I could make to, for

example, the new stabilisation fund and our own MPC, our own Monetary Policy Committee, the so-called “three wise men” that hopefully we are shortly to appoint and we will be coming to the States shortly for discussion. So, really, I am just saying to members that we are looking at the whole question of forecasting and the accuracy of forecasting, and I would draw States’ members’ attention to the fact that there have been occasions in the past when just before or even the day before major debates we have had quite major changes to forecasts and quite major updates that affect the way that the States might be thinking or making decisions. In our view, that has not been a very good performance in that area and I suppose I am really putting the Treasury Minister on notice that we are looking at this whole area. We are a little worried that there appears to be a team of senior civil servants that are advising the Minister and there seems to us to be the potential for a certain amount - without mincing words - of political manoeuvring, the scope for political manoeuvring of forecasts to achieve political aims. I am not saying that happens; I am simply saying that there is the potential for that to happen, and that would be an extremely serious position if that were ever to be the case. So we are wondering and I would ask the Treasury and Resources Minister to maybe give some thoughts in parallel to ourselves as to whether some form of independence could be introduced into these assumptions that go behind the forecasting. These are the critical assumptions on how much revenue we are going to get from income tax, how much we are going to get from various kinds of indirect taxation, so that there is a degree of, shall we say, independence introduced into here where the States’ Assembly as a whole can be more confident that when forecasts are produced they are not going to be produced with any kind of political bias. It is very important that these kinds of forecasts are seen to be as accurate and as free of political influence as possible. So we will be making a report on this fairly shortly. It is not what one would expect in the way of a full review and recommendations. It is more of a discussion document that we would want to bring and discuss with both the Treasury and Resources Minister and, quite possibly, the Chief Minister as well because we think it is a very important area to look at. As I say, just to place members and the Treasury and Resources Minister on notice that we will be looking at this area fairly shortly and this is the area that we have concentrated on around the Business Plan rather than looking individually at the nitty-gritty of individual departments. We only have so much really in the way of resource and this time around we have concentrated on the particular area of forecasting.

5.1.11 Deputy S.C. Ferguson:

Yes, I have been a little hard-put to find in either the service analysis or the objectives anything on the reform of the Public Finances (Jersey) Law 2005. The PAC, as members will have noted, has concerns about this and that is why the report was on your desks yesterday morning. I wonder if the Minister could confirm that he will be reviewing his decision in light of our report and where it appears in the objectives. The other thing is the implementation of GAAP accounts. Now, this is perhaps the down to earth way of talking about the whole of resource accounting. We have got 2008 just for the States’ accounts being GAAP-compliant and the 2010 resource accounting. I wonder if the Minister would like to explain to Members exactly the process that he is envisaging in the sort of difference between these two dates.

5.1.12 Senator J.L. Perchard:

The previous speaker mentioned the Public Finances (Jersey) Law. I would also like to draw the Minister’s attention to perhaps an amendment that he could be considering to the law which allows the Overseas Aid Commission to have responsibility for their own budget. I think the Minister is well aware that there is an anomaly in the law and being that they are not a ministry the budget has had to be put in the safe hands of the Chief Minister in the interim. That was a joke. **[Laughter]** Perhaps the Minister will respond on the progress there. I would like to take a slightly different tack to many of the previous speakers. 2008 will see a very difficult year for the Treasury: the introduction of the Goods and Services Tax and the implementation of the Zero/Ten regime which are going to be hugely complex and very demanding on a limited workforce, as well as

continuation of ITIS (Income Tax Instalment Scheme). I would like to congratulate wholeheartedly the Minister on his Treasury Department's performance during 2007 and wish them well during 2008, bearing in mind that I would like to remind members that the department is physically taking - if you calculate inflation - a cut. I would like the Minister to confirm it is in the region of 0.7 million, £700,000 worth of efficiency cuts, or he will once inflation is calculated be asking his department to perform for an inflation-calculated cut of just under three-quarters of a million pounds. If I am right in my back-of-a-fag-packet calculation just then, I would like to congratulate the Minister and, while a few valid points have been raised, I wish him well with the big workload that he and his department have in 2008.

5.1.13 Senator F.H. Walker:

Can I just really take up on a couple of points made by Senator Perchard and then a couple of points made by the Connétable of St. Helier. Firstly, Senator Perchard is absolutely right. The Treasury and Resources Minister has a huge task on his hands in 2008 implementing States' decisions. If members do not like the decisions that the States have taken in the past, that is fine but they should not be trying to take it out on the Treasury and Resources Minister or his objectives because he has no choice other than to implement the decisions of this House. Of course, members would be the first on their feet to accuse him if he sought to do anything differently. I think Senator Perchard's congratulations to the Minister on being able to do what he and his departments are doing with a restricted budget, a reduced budget, I think those congratulations are absolutely justified. So far as property is concerned, the Connétable of St. Helier said that the States should sweat its assets more and he is absolutely right, that is the whole purpose of the co-ordinated Property Department, led by a new professional who we heard from the Minister took up post this week. That is the whole purpose of that department, to sweat the assets more. Members will, if they wish that to happen, also need to grasp the reality of that and the effect of that, which will be the sale or a different approach to management of a number of States' properties. Members quite often feel uncomfortable with that, but we cannot have it one way or the other. I was also impressed by the comment from the Connétable of St. Helier about sweating the assets more and I will just make a wry comment in return. This is the same man who wanted the Treasury and Resources Minister and the States to, in effect, give the Parish of St. Helier La Pouquelaye School. That does not sort of add up to me in terms of sweating the property asset, but that is just a wry aside. I think the Treasury and Resources Minister deserves the praise that Senator Perchard has given him in doing an incredibly difficult job on a restricted budget and implementing the decisions of this House.

5.1.14 Deputy J.A.N. Le Fondre of St. Lawrence:

Just very briefly as Assistant Minister still with the responsibility of Property Holdings, a couple of queries or general updates, I would say. As the Minister has inferred and as the Chief Minister said as well, the new Chief Officer of Property Holdings commenced work on Monday and I have had two discussions with him already about direction. He is obviously finding his feet - when I say finding his feet, digging in already, I think - to see what the situation is on the ground. In relation to property transfers into the department, that is still the key thing. We were saying this earlier on this year. It has been a little bit like swimming through treacle at times. I would say the health portfolio is probably one of the key areas and that has got to be at the top of our agenda. If you do not get that in, you will not see the efficiencies that you would expect to see from property. I have informed him very strongly that it is at the top of his agenda and I would expect that we shall see some movement at some time fairly soon, I hope. The whole point about efficiency of use of office space is if you get the departments together and under one form of control, then you can start looking at utilisation of space. We were discussing again on Monday it even goes to the extension of new capital projects, for example, where the difference between an open plan office and a normal what you might call compartmentalised office is huge from the point of view of even air conditioning costs. Those are issues we are having to struggle with at the moment in terms of projects that are ongoing. On a positive note, we have been talking about sweating assets. I would

like to say that on a budget of I think it was £700,000 of capital we were expected to contribute this year, I am pleased to say that at the moment we have £1.3 million for this year which is down as sold and I am hoping - the timing may be slightly out, some of it may go into the early part of next year - that basically deals that are near enough concluded are in the order of another £1.5 million on top. So from the point of view of Property Holdings trying to sweat the assets that we are allowed to sell, at the moment we are doing okay. I hope that answers a couple of questions and I hope people take that as a bit of positive news.

5.1.15 The Deputy of St. John:

Just briefly, Sir, it is just about auditing costs. I notice that there is the equivalent of £1.3 million allowed for auditing if one takes the internal audit costs and then, of course, the Comptroller and Auditor General's costs on page 135. I certainly do not suggest for one moment that auditing is not important and I am sure we are getting value for money. I just want to make sure that the Minister is content that he is getting value for money and I would be very interested perhaps on another occasion to get a bit more of a breakdown as to where that money is going to, particularly the Auditor General. But then you add that to internal auditing, like I say, you end up with £1.3 million. I hope that is saving us way in excess of £1.3 million by auditing correctly, but I would like some assurance of that.

5.1.16 Senator T.A. Le Sueur:

I am sure I can do that. I thank Deputy Le Claire for his support, even though he thinks that Zero/Ten may be the wrong decision. As to Deputy Power, would I like to bring into the property function social housing, Harbours and Airport and WEB? Not at the moment, thank you. I think we have enough on our plate without that. That may be an issue for a future occasion, but when the States agreed the Property Plan proposals a couple of years ago they specifically excluded social housing property, Harbours and Airport and WEB from that transfer. Deputy Baudains, three sensible questions. How can we achieve whole life costing? That is quite an esoteric subject and as an objective it is fine; how to deliver it is a lot more difficult, I appreciate that. He suggests that we have spent efficiency savings. I think it is difficult to say they have been spent except that had we simply banked those efficiency savings we would have had to deliver the services that we need in some other way. I take the point he makes that we have not stuck that money away in a pot somewhere; it has been properly used. Finally, he asked about East of Albert, which assumes that development will take place. Somebody else asked about East of Albert. I confirm that my department is not trying to design East of Albert, we are trying to co-ordinate as Property Holdings the overall operation in conjunction with a number of other parties. What eventually comes out for East of Albert will be a matter for a number of people and ultimately for the States to decide. Deputy Breckon suggests that we are not getting the best use out of property like office space and cites the EDD (Economic Development Department) which at the moment are in a number of different locations. I think what this is doing - and it is a good example - is Economic Development is coming together ultimately in one single location and possibly two side by side, and all the ancillary office space will ultimately be vacated. I think the Bath Street premises he talks about, the lease expires there in 2010, which is not that far away now, and in the meantime I know that there is a specific purpose that Economic Development have for that space. Deputy Breckon asks why the department is carrying 20 vacancies. I can advise him if he was not already aware of it that the labour market, particularly for accountants, is extremely tight at the moment and with the salaries which the States offer, which sum we all consider excessive but the marketplace does not, I am afraid recruiting to this particular department is very difficult indeed. One of the annoying side effects of that is that if we had more staff I would have more chance of delivering GAAP accounting more quickly, but we cannot have everything. The Deputy was not sure if all the States' spending is going in the right direction. I think that is the whole purpose of these debates, that we can make those points for ourselves. He talks about the money in the computer development vote and, yes, there was £10 million in the computer development vote as a result of which, if he looks

at the capital programme in successive years, we have been able to reduce the amounts allocated to computer services for that reason. But as Senator Walker said yesterday, it is important that we do invest in IT (information technology) if we are going to get the efficiency savings which this House requires us to deliver in the best way. I think the rest of the Deputy's comments were more a diatribe on the evils of G.S.T. and I appreciate his point of view but I think today is not the day to discuss G.S.T. We have more than enough I think to do without that and I thank Senator Walker for bringing us back to the right path. The Deputy of St. Peter asked whether East of Albert would include the deep water berth. That is not my decision. I will get some advice, no doubt, from Economic Development, from the Harbours and Airport Department and from Planning and ultimately this House will decide. As far as the Connétable of Grouville is concerned - will we have in-house legal and conveyancing departments - I certainly hope not. I am trying to run an efficient department and tight department for those things and I believe we can get those services better outside of the department rather than within. I thank Deputy Scott Warren for her comments about social insurance being an insurance contribution rather than a tax. Confirmation that a debate on utilities and the possible sale of utilities will come to this House, yes, I confirm that before any utilities are sold it will be a matter for a lengthy debate in this House. The Deputy of St. Ouen suggested really "20 means 20", the first year of effect will be 2008. Yes, he is right in terms of collection from people who are long-term residents in the Island, but of course those newcomers who are subject to ITIS, they will have been liable from 2007. It is a mixture but predominantly it will be next year that the main effect starts to occur. He suggests that not all the property management functions have been transferred, and that was confirmed by my Assistant Minister. The majority have. The main outstanding one at the moment is Health. There are a couple of little areas of Home Affairs that have not been, but those are well under way. Health I hope will be done within the next 6 months. The Connétable of St. Helier asked if we are sweating our assets enough. One can sweat assets in various ways, and I suppose simply disposing of an asset is not really building up a head of sweat. That simply gets a pot of money in. I think what he is really saying is are we making the best use of our assets? No, we are not at the moment. The whole purpose of Property Holdings is to make sure that there is a transformation so that we do make better use of those assets, but that will take time. He hopes the amendment from PAC will succeed. Well, that is a matter for another day, I suspect, not today. I appreciate Deputy Ryan's comments as Chairman of the Corporate Affairs Scrutiny Panel on forecasting. Forecasting, as any meteorologist will tell you, is a fairly inexact science. You make the best use of the information you have, but you sometimes get blown away by unforeseen circumstances. Our forecasting is no different, but if we can bring additional expertise and a review of those assumptions from the Corporate Affairs Scrutiny Panel, I will be happy to work with them in that area recognising it is primarily on the assumptions that we are going to have to do that because a lot of the factual information is confidential to the Comptroller of Income Tax. Deputy Ferguson asks about the potential reform of the Public Finances (Jersey) Law. I can remind her and members that the decision I made was to instruct the Law Draftsman in drafting amendments to the law that those amendments will have to come to this House, so nothing that I decide can be done unilaterally. It is this House that will decide if it wants to change Public Finances (Jersey) Law or not on the basis of informed opinion. I appreciate the comments of the Public Accounts Committee on the proposals which are given to the Law Draftsman, and I am sure in the fullness of time when we come to see the law before this House if those comments have not been taken on board in a satisfactory way to the Public Accounts Committee they will say so accordingly. Deputy Ferguson quite rightly talks about the importance of GAAP accounting and the mixture between that and resource accounting. At the moment the timetable is that GAAP accounting will get the 2009 figures but resource accounting will be 2010 but for 2009 calendar year, so I am advised. There will be, I suspect, a difficulty in getting a smooth overlap, but at least we are moving both areas in the right direction. I thank Senator Perchard for his comments about the activities of my department. Yes, we are taking a cut in real terms of three-quarters of a million pounds and that is a cut not just in cash terms but in real terms. I am proud of the way in which my department has managed to do that, but it does mean that like most

departments, I think, we are now at stretching point, almost at breaking point. He asks about transferring the Overseas Aid Commission and giving them responsibility for their budget. Yes, I can understand his comments, but I think that is why the States set up the Overseas Aid Commission at arm's length from the ministerial system. I do point out to members that with any public money there has to be a question of accountability and someone has to be accountable for the Overseas Aid Commission money. How we are going to do that in a satisfactory way without involving Ministers is something which is taxing my brain, but I think we are more or less there. Finally, I thank Senator Walker for his comments, particularly about sweating assets such as La Pouquelaye School. Thanks from Senator Walker are always justified and welcome, thanks from non-Ministers such as Senator Perchard even more welcome, and I hope that those thanks can also come from other members of the House, Sir, in agreeing these objectives.

The Connétable of St. Helier:

I did ask a very short question of the Minister about the States paying rates.

Senator T.A. Le Sueur:

I think this is the same Connétable who asked if the States could save £12 million. The reality is that if the States is to pay rates it has to come from somewhere. We will be adding to our spending, not reducing it. The Connétable cannot have it both ways. I ask for the appel, Sir.

The Greffier of the States (in the Chair):

Yes, the appel has been called for. I put the objectives. The Greffier will, therefore, open the voting for or against the objectives of the Minister for Treasury and Resources.

POUR: 39

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Peter
Connétable of St. Clement
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)

CONTRE: 8

Connétable of St. Helier
Deputy A. Breckon (S)
Deputy G.C.L. Baudains (C)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy P.V.F. Le Claire (H)
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)

ABSTAIN: 0

Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian (L)
Deputy of Trinity
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

ADJOURNMENT

Senator S. Syvret:

May I propose the adjournment, Sir?

The Greffier of the States (in the Chair):

Yes. Perhaps before the Assembly adjourns, Senator, the issue of tomorrow morning was addressed earlier in the day and the Chairman of P.P.C. (Privileges and Procedures Committee) was asked to take soundings. Do you have a proposal to make to the Assembly, Chairman?

The Connétable of St. Clement:

Yes. I propose that the Assembly adjourns at 1.00 p.m. tomorrow and reassembles at 9.30 a.m. on Friday, 21st September 2007. **[Approbation]**

The Greffier of the States (in the Chair):

You appear to have gained large measures of support. Are members content to adjourn at 1.00 p.m. tomorrow and reconvene on Friday? Just before the Assembly adjourns, I am able to inform members that in my capacity as Greffier the Chief Minister has notified me under Standing Order 34(1) that he has withdrawn the second amendment to the amendment of the Minister for Education, Sport and Culture relating to overseas aid funding. **[Approbation]**

Deputy J.J. Huet:

Thank you very much, Sir. If you would not mind if I just take a couple of minutes of your time to thank the Chief Minister for withdrawing it, but also to thank people like the Dean and the churches that all got in touch with me and all the people outside and, Sir, especially to thank the members of this House because I was utterly amazed at how many members in this House have come and seen me personally and told me that they would be backing the overseas aid not to be cut. I thank them very much. Thank you.

The Greffier of the States (in the Chair):

Very well, the Assembly stands adjourned until 9.30 a.m. tomorrow morning.