

Economic Affairs Scrutiny Panel

PUBLIC MEETING

Record of Meeting

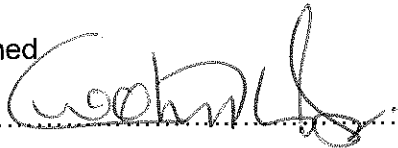
Date: 5th April 2011
Meeting 80

Present	Deputy M.R. Higgins, Chairman Deputy J.M. Maçon Deputy D.J.A. Wimberley (for part only)
Apologies	Deputy C.F. Labey, Vice-Chairman
Absent	
In attendance	Deputy M. Tadier Mr. T. Oldham, Scrutiny Officer

Ref Back	Agenda matter	Action
<p>21/03/11, Item 2</p> <p>515/19(8)</p>	<p>1. Airport and Harbours</p> <p>The Panel, with Airport and Harbours Sub-Panel Member Deputy M. Tadier in attendance at the Panel's invitation, recalled that further to a letter from the Minister for Economic Development to the President of the Chairmen's Committee outlining his concerns regarding a perceived conflict of interest of the Chairman, the small membership of the Sub-Panel and the lack of reference to policy in the Terms of Reference, the Chairmen's Committee had agreed by majority on 24th March to the continuation of the Sub-Panel Review with Deputy M.R. Higgins as Chairman and the same Terms of Reference.</p> <p>The Panel was advised that at the Chairmen's Committee meeting, the Greffier of the States had advised that there could be a perception of a conflict of interest by the Chairman in a Review into Jersey Airport, due to his role as organiser of the Jersey International Air Display (JIAD) and the access he therefore had to airport employees. The Greffier had also suggested that it might be preferable for someone else to chair the Sub-Panel and that it could be more appropriate for Deputy Higgins to be a witness rather than sit on a body reviewing the airport. However, the Greffier had stressed that he could only offer advice and it was ultimately a matter for the Committee to take the political decision on whether or not to proceed with the Review.</p> <p>At the Chairmen's Committee meeting, Deputy G.P. Southern had agreed to join the Sub-Panel, and the Committee was advised by Deputy M.R. Higgins that Deputy S. Power had also agreed to join the Sub-Panel.</p> <p>It was noted that since that Chairmen's Committee meeting, the President of the Chairmen's Committee had resigned from that post, in part citing this issue as a factor in his decision. In addition, Senator S.C. Ferguson had advised the Chairmen's Committee by email</p>	

	<p>correspondence that if the Chairman were receiving payment from the Economic Development Department for organising the JIAD, then it was inappropriate for him to be Chairman of the Review and she had no recollection of this being discussed at the Chairmen's Committee meeting. Furthermore, Deputy S. Power had withdrawn his membership.</p> <p>The Chairman informed the Panel that the Sub-Panel had met on 1st April to consider the issues outlined, and had agreed that there was no merit to the arguments being raised about a perceived conflict of interest and that it would continue to undertake its Review as planned and as constituted.</p> <p>In that context, the Panel considered the issue of the perceived conflict of interest of the Chairman, and whether it agreed to continue to endorse his role on the Sub-Panel in light of those issues, in line with its responsibilities under the Code of Practice as the 'parent' Panel. Prior to departing, Deputy D.J.A. Wimberley considered there to be no conflict of interest in this case and that relevant safeguards to ensure an objective review were in place.</p> <p>Deputy J.M. Maçon continued to consider the matter after the departure of Deputy D.J.A. Wimberley. He agreed to endorse the Review under the Chairmanship of Deputy M.R. Higgins, subject to revision of one of the Terms of Reference to stress that the Review would not cover the relationship between Jersey Airport and the JIAD.</p> <p>In the absence of Deputy D.J.A. Wimberley and Deputy C.F. Labey, the revised Terms of Reference would be circulated for main Panel comment. Deputy C.F. Labey would also be asked for any opinion she may have in relation to the Chairman's position, in the context of the conflict of interest matter.</p>	<p>TO</p>
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Signed



Date:

13th June 2011

Chairman,
Economic Affairs Scrutiny Panel