

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 21st JUNE 2006

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

PUBLIC BUSINESS (continued...)

1. Strategic Plan 2006 to 2011 (P.40/2006)

STATEMENT ON A MATTER OF OFFICIAL RESPONSIBILITY – Senator T.A. Le Sueur, (The Minister for Treasury and Resources)

The Bailiff:

I have given leave to the Treasury and Resources Minister to make a short statement in the context of this debate.

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

At the end of the sitting last night I undertook to make available to Members an updated financial forecast and that was circulated with due haste very shortly after the meeting finished. Unfortunately, in that haste there are a couple of minor errors in the statement as a result of which it is currently being re-printed and I ask Members' forbearance. It does not alter the thrust of the situation which is that revenue forecasts have increased from the previous estimate, mainly as a result of increases in Impôts duty and stamp duty and lower income over the 5-year period starting from a different base as a result of better figures last year. The other situation is that, unfortunately, capital programme figures now show the net figure taking into account the capital savings that would be delivered as part of the efficiency savings being better, simpler and cheaper. I apologise to Members that this is not in identical format to that shown in the Strategic Plan. It is in the format that was presented to the Council of Ministers last week and I thought that rather than try and produce yet a third set of figures, it would be simpler to have consistency between the figures issued to Council of Ministers and the figures issued to State Members. This is a format that will be used in the Business Plan, I believe, and on that basis, Sir, I apologise for any confusion which there may be in Members' minds. I may speak to the figures in more detail in the course of the debate when they are on Members' desks and in a better position to deal with them.

1.2 The Bailiff:

Now, we come to the sixth amendment which is a Green amendment and I wonder if the Deputy of St. Ouen could indicate whether he wishes to oppose this amendment or whether we can treat this as part of the ...?

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

No, Sir, I am not planning to oppose this amendment.

1.3 The Bailiff:

Very well. Well, if Members are content we will pass by the sixth and seventh amendment taking them as having been proposed by the Chief Minister. We come then to amendment 8, the thirteenth amendment but the eighth one to be taken this morning, in the name of the Deputy of St. Ouen and I ask the Greffier to read the amendment.

The Greffier of the States:

After the word “appendix” insert the words “except that 1(a).” On page 14, first paragraph after the words “body of the plan”, insert the words “the Council of Ministers will ensure that prior to the development of any new initiatives, policies or strategies consideration will be given to all cost revenue and manpower implications which may arise from the proposals. Priority will be given to those which can be achieved within existing revenue and manpower resources.”

1.3.1 The Deputy of St. Ouen:

I think it is worth just considering what a strategic plan is and also the relationship between the Strategic Plan and the Business Plan. The Strategic Plan, we are told, is designed to translate what people want into what we must deliver whereas a business plan translates what we must deliver into how we will deliver it and with what resources. Furthermore, I read from the States Business Plan 2006 to 2010 from the executive summary ... it states quite clearly under States Business Plan - Looking Forward: “Under the new Public Finances Law, from 2006 the States Business Plan will be the vehicle in which all States expenditure proposals are approved. The Business Plan will also provide the opportunity for an annual review of key objectives and priorities which will then cascade into department business and action plans across the States.” It was suggested yesterday that I might be confused. I would suggest that the Council of Ministers is equally confused. We even have statements this morning, from the Treasury Minister, about resource requirements contained in the Strategic Plan and suggesting that these figures are based on the assumption that the Draft Strategic Plan is approved and that the remaining fiscal measures are agreed and implemented in accordance with the proposed timetable. Sorry, that is a business plan. I looked at the Strategic Plan for 2005 to 2010 which is actually nearly a year old and I thought, actually, how do we come to have a Strategic Plan? It started with Imagine Jersey, not Imagine Council of Ministers. Imagine Jersey spelt out quite clearly through major consultation with the public what those aspirations were. Those aspirations were translated into the Strategic Plan. Equally, I note in the Strategic Plan, quite rightly, no financial and manpower implications are included because of the fact that all of those manpower and financial implications, quite rightly, need to be considered in the Business Plan. Sir, I am pleased that for the most part the Council of Ministers has actually accepted this amendment. However, I would like to explain why I made it. The whole point of my amendment - and I am not just talking about this one but am encompassing the whole of amendment 13 - is to underline the way that the Council of Ministers will manage the States finances. This is especially important at a time when we are developing a new fiscal strategy that will affect every single person of our community. We cannot be complacent as we move towards the introduction of Goods and Services Tax (GST), ‘20 means 20’ and other tax measures that are required to meet the challenges faced by the introduction of Zero/10 and the £80 million to £100 million shortfall in States income. When does that happen? 2010. Let us be in no doubt that this government and, indeed, the Island as a whole is facing one of its biggest challenges in decades. To control public spending is one of the main areas and issues that we have promoted as a government and as individuals to address. That is not just efficiency savings; that is controlling all public expenditure. All. It is for this reason and on the back of this reason that we have already agreed, to introduce a goods and services tax to help fill that gap. However, the detail has yet to be agreed and although we are expecting to introduce a tax in 2008 - nearly 2 years away I hasten to add - the date is yet to be finalised and there are currently no proper and cast-iron guarantees that that date is set in stone yet because we have not agreed it. Coupled with this, we have an economic growth plan and although initial signs are encouraging, I hasten to add, we have yet to see it fully implemented and the effect of that cascading down through our economy. We have also clearly stated that we need to create this £20 million worth of savings by 2009 to reduce the effects that ‘Zero/10’ will bring. One must remember that it was only year that we made some of the decisions - and, I repeat, only last year. But we have still a long way to go before we actually deliver on those promises. From the Chief Minister downwards we have signed up to this promise and these facts have been

well documented and they are there for all to see. I would like to read an extract from the States of Jersey Resource Plan 2005 to 2009 and it is the foreword written by the then President of the Policy and Resources Committee, Senator Frank Walker. This was his comment based on 20th July 2004: "The focus in the 5-year plan must be to bring spending growth back into line with forecasts of States revenues, particularly to ensure that States finances are in the right shape to tackle the challenges in the medium term. It is essential that the States politicians and officers embrace the change culture embodied in the approved 5-year vision for the public sector in order that savings and value improvements can be achieved without increasing short term deficits or cutting services. The States have agreed a 5-year change programme that will transform both the way the States of Jersey works and the way services are provided to the Island. This can only succeed if Committees and Members of the States continue to bear down on States expenditure and work together to deliver better services at a cheaper cost." In the States Business Plan 2006 to 2010, again the President of the Policy and Resources Committee at the time, Senator Frank Walker, and dated 19th July 2005 (which is only 11 months ago) says: "The States Strategic Plan approved in June 2004 made specific promises to ensure better prioritisation of Jersey's financial resources. To achieve this the public service must take a more coordinated approach to financial planning in the medium and longer term. The Business Plan will help us to do this." It goes on to say: "The States have agreed strong policies to address our economic challenges including a reduction in public expenditure. The Business Plan sets out a framework which will help to achieve that reduction, putting in place the medium-term expenditure targets within which the States aims and objectives are to be delivered. These are challenging targets but they are crucial as part of the package of measures to sustain a balanced financial position. The States have agreed to deliver £20 million of efficiency savings linked to the 5-year change programme to transform the way services are provided on the Island." I now read from the Financial Report and Accounts 2005 and this has only just been produced. This time it is from the Treasury and Resources Department and, it is headed "The Minister's Report." This is our Treasury Minister, Senator Le Sueur: "The single most telling figures in these figures accounts is that the States have delivered on the promise to contain expenditure with the accounts showing that the net revenue expenditure actually fell in real terms for the year, rising by less than 1.5 per cent during a year when the rate of inflation in the Island was 2.2 per cent. The spending restraint has undoubtedly been a factor in the fall of the underlying rate of inflation over the last 3 years which I am pleased to report is now the lowest target rate of 2.5 per cent." Again, what we signed up to. When we approved the Business Plan for 2006 to 2010 the proposition clearly states: States total expenditure limits 2006 to 2010, an average of 2.5 per cent growth per annum over 5 years. Revenue expenditure that we all signed up to: 2006 total and individual Committee cash limits shown in that Business Plan; 2007 and 2008 total cash limits/Committee targets are again shown in that Plan; 2009 and 2010 revenue expenditure targets. How much clearer does it need to be? The only thing, as I said, that is not clear is the fact that we can deliver on those promises and sadly it seems to me I would be delighted to hear the comments of the Chief Minister and the Council of Ministers on what has changed. Now, the Council of Ministers is seemingly trying to make us believe that these promises are already delivered. They are suggesting not only that we can take them as a given, as shown in various financial forecasts that the Treasury Minister seems happy to keep churning out, but that we can also start spending rather than to fulfil our promises made less than a year ago. As I said before, the 2006 Business Plan was designed to deliver savings and also control spending. We are now returning to what I call - and it is not one of mine I hasten to add - the States old habits and avoiding completing the task that we set ourselves. In April 2005, a paper was provided by the States Treasury entitled "Controlling Expenditure Between 2005 and 2008." Again, I repeat, 2005 to 2008. Not 2005 to 2006. On the first page it provides a background to the paper that supported further decisions linked to business plans that we agreed last year. "This paper provides information on the measures which have already been taken and are still being taken to restrict growth in States revenue expenditure for the period 2005 to 2008. These measures are a crucial contribution to the fiscal strategy in addressing the anticipated deficit in 2009 due to taxation changes. Without such measures the

position would be significantly worse and the burden of additional taxation greater.” That is dated April 2005 and comes direct from the States Treasury, which was then put into, and accommodated within, the Business Plan. This paper, as I said before, was used to develop that Business Plan and the projections included in the Business Plan for 2007 and 2008. Surely this is a path that we should be expecting the Council of Ministers to follow. After all, as I said before, this is unfinished business which collectively they have already subscribed to. The public have not changed their view, to my knowledge. The States currently have not changed their view, at least not yet. So you may ask how do we ensure that the Council of Ministers fulfil its obligations and promises made to not only the States who have supported this view but to the public as a whole. We need to make clear statements. We need to aim to encourage and re-encourage trust within our community. How on earth are we going to expect our community to trust us when we keep changing the tune, when we promise something and then do not deliver? So you may ask how do we ensure the Council of Ministers fulfil its obligations. It is included and embodied in my amendment and, indeed, in other parts of my overall amendment on which I will be speaking later. This part involves a general statement of what the Council of Ministers will do and it is worth reading. This is the statement which included the words used in the original draft Strategic Plan that the Council of Ministers presented. There are many initiatives and services to be delivered over the coming years. These are set out in some detail in the body of the plan. The Council of Ministers will ensure that prior to the development of any new initiatives, policies or strategies consideration will be given to all cost, revenue and manpower implications which may arise from the proposal. Priority will be given to those which can be achieved within existing revenue and manpower resources as agreed, I should have added perhaps, in the Business Plan 2006 to 2010 which we agreed last year. There are no “get out” clauses as proposed in the Council of Ministers subtle word changes. It is clear and simple. I am also interested to note the words that they have used to surround this clear statement which I hasten to add were added after they had had sight of my amendment and at the last minute. I certainly have not instructed the Council of Ministers to deviate from the plan that I agreed to and I do not expect Members to either. I will be speaking again on the amendment so I am not going to comment further on the Council of Ministers amendment at the moment. I will simply summarise what is embodied in my proposal. The aim, as I said before, is that the Council of Ministers will collectively not only consider the implications of any new policies and initiatives but also recognise that they work within agreed budgetary constraints. Equally, there is an ongoing expectation that they will prioritise those actions which can be met within existing revenue and manpower resources. Furthermore, it reinforces the promises made by this Assembly to the public that all States finances will be managed in an efficient and prudent way. In the foreword of the 2005 to 2010 Plan, Senator Walker - our new Chief Minister - states that: “With the introduction of the new Ministerial form of government the end result will be a streamlined and efficient system of government better suited to the Island’s needs and better prepared to face the challenges of today and tomorrow.” He also adds that it will also enable us to meet the commitments “we have made to eliminate waste and reduce public spending in real terms as the public demanded in a co-ordinated and timely way.” The important words are “as the public demanded.” There is a strong demand from both local residents and businesses alike to reduce or at least control public spending before raising taxes. As I said before, the fiscal strategy is still to be fully developed. However, we are already aware that many of our residents will be contributing more in the way of taxes. It is therefore essential that finances are managed in a prudent way. I propose my amendment.

1.3.2 The Bailiff:

The amendment is seconded? [Seconded]

Now there is an amendment to the amendment in the name of the Council of Ministers. I ask the Greffier to read the amendment.

The Greffier of the States:

In paragraph (a) of the amendment in the words to be inserted on page 14 for the words “prior to” substitute the word “in”, and for the word “existing” substitute the word “approved.”

1.3.3 Senator F.H. Walker

Basically, the Council of Ministers and the Deputy are desperately agreeing on this particular part of his amendment. I think his speech wandered off into arguing the case for other parts of his amendment but on this part of the amendment there is very little air between us whatsoever, and certainly we are absolutely as one in trying to achieve the same objective. The objective is that the States and only the States have the ability - and were here most of yesterday - to decide upon manpower and financial resources. So the Council of Ministers entirely agrees with the Deputy, with what he is trying to achieve and we welcome the first part of his amendment which is all we are discussing at this particular part of the debate, and that is amendment 13(1)(a). This, therefore, has nothing to do with the actual level of expenditure; that will come later in other parts of his amendment. This is merely to do with how the States exercise control and at what point the States exercise control over our resource implications and all the Council of Ministers is doing in this context is we basically agree, as I said, with the thrust of the Deputy’s amendment and we are proposing the change of 2 words which in our view clarifies the issue and improves what the Deputy is trying to achieve still further. Our first amendment is to substitute the word “in” for the words “prior to.” All this means, and all it means, is that all cost and manpower implications would be fully considered in the development of new initiatives, polices et cetera, not before. I say “all it means.” There is actually quite an important difference. The Deputy’s proposition - his amendment - suggests that the full costs and manpower implications would have to be identified before any work was done on option appraisal and analysis on different choices and so on, which is necessary if we are to determine a range of potential and feasible solutions. So his amendment actually means what he is proposing has to be done before that; what we are saying is it should be done as part of the same process. But, in any event, it still comes back to the States, for the States to decide what resources - as I said yesterday - what we spend, on whom and on what. The same objective, absolutely, but there is this important administrative difference and that is all it is. As it achieves exactly, so far as the States is concerned in terms of our ability to take decisions, the Deputy’s objective, I am hopeful that he might yet consider accepting our amendments to his amendment. Well, that was obviously wishful thinking because he has just shaken his head and he is not which is fair enough. But as we said yesterday, what is important here is the exact wording of the amendment, not the spirit of it, not what it is trying to achieve because there is no difference between us here whatsoever. What is important here is precisely what the amendment says and because it says that all the resource implications would have to be costed et cetera before we move forward, then it would entail significant unnecessary work and delay and additional cost which the Deputy quite rightly is very strongly seeking to avoid. Again, I applaud him for that and this is why I think the wording of his amendment is just slightly, but significantly, wrong. We are approving the objective, just suggesting 2 important wording changes so that we all know where we stand It is terribly clear and we do not have to run the very serious risk of spending considerable amounts of additional time and money in meeting the Deputy’s amendment to the absolute letter. The spirit, as I have already said, is no problem. The actual wording to the letter presents some real problems because having evaluated the resources before we have come up with a range of options we then have to do it again when producing the options for the States to debate and approve. We think, strongly, that our amendment is a better and more efficient way of achieving the same objectives.

The second Council of Ministers amendment to this amendment substitutes the word “approved” for “existing.” Here again there is an important difference; we are still trying to achieve essentially the same objective but there is an important difference. The objective though is to ensure full States control over our spending and resources. But by limiting the States - and this is not limiting the Council of Ministers - to existing resources it takes away the flexibility of this House to react to any particular situation which may arise, any necessary change of direction: not the ability of the Council of Ministers but the ability of this House. It takes away that flexibility and what the Council of Ministers is suggesting is that initiatives can only be implemented within approved resources. Now, that is approved by this House and nobody else. Approved by this House. But it gives this House more flexibility - important flexibility - to react to important matters of the day than the Deputy’s amendment suggests. That is all we are saying. Again, the objectives are exactly the same but we believe the House should retain the flexibility to amend its resource limitations should it wish but that is a matter for the House. This would take away the House’s ability to do that and we do not think that is positive for the States or for Members generally. We simply could not respond as we could under the amendment of the Council of Ministers to changing positions if and when we wanted to. But the important point is, and I cannot over emphasise it, that either way the control rests with the States. With the Council of Ministers amendment the States have more flexibility; with the Deputy of St. Ouen’s amendment, the States lose that flexibility. But under both amendments the States retain total control and that is, in our view, the important thing and where we share identical objectives to the Deputy. So, Sir, as I said at the outset in most respects we desperately agree here on what we need to achieve and what controls the States needs to have. So I very much hope the States will see the common sense behind the minor amendments - minor but important amendments - we are making to the Deputy’s amendment and approve the amendment of the Council of Ministers and I move that amendment.

The Bailiff:

The amendment is moved. Yes, Deputy of St. Ouen?

1.3.4 The Deputy of St. Ouen:

Unlike Senator Walker, I do believe that the words “prior to” and “existing” are extremely important and the proposals that they are changing alter the meaning of this statement. Do not be confused, as well, by the Chief Minister when he says the States do not have full authority and the States are having their hands tied. Wrong. It clearly says in this proposition that the statement of the common strategic policy of the Council of Ministers is set out in Visions on page 5. The Council’s top priorities are on page 14 and 15 and then it goes on to say the rest of the plan. So it quite clearly states that this is the Council of Ministers strategic plan that it has created, quite rightly, and presented for the approval of the States. What does my amendment start with? “The Council of Ministers.” It does not start with: “The States will.” This is setting the parameters that we as a States Assembly require the Council of Ministers to work in. That is clear. This supports their statements that they make. When I speak about the fact that the Council of Ministers will ensure that prior to the development of any new initiatives, policies or strategies, consideration will be given to all cost, revenue and manpower implications which may arise from the proposal. Again, it says just that: consideration. It is the same consideration that my wife does when she goes into St. Helier with £100 in her pocket and decides: “Do we eat today or do I buy a dress?” **[Laughter]** Fortunately she is a good housewife so we eat. **[Laughter]** It is that initial consideration that says well, actually, can we afford to do this or not? What is our budget? What have we got to use? At what point are we at and that is where the next word comes in: “existing.” What is “existing”? It means what is currently approved? What is available? What is there? Not what might be there in the future. It says “existing.” Now, quite rightly as the Council of Ministers says again - and I have highlighted to all States Members - the annual Business Plan is a time when the States collectively

decide how to apportion monies. They will decide where the extra monies need to be spent, whether sums of monies over and above existing resources that we have told the Council of Ministers to recognise can be increased. That is the way it works; that is the way we have been told it works; that is the way it has been spelt out in Public Finances Laws. So it is clear and simple. As I said before, what are they aiming to achieve? Is it approval of the Strategic Plan and the little financial forecast in front that we have not actually been able to amend physically; we have had to try and use words to address the concerns raised by it? Well, I am sorry but the Strategic Plan is not the point at which we approve finances at all; it is the Business Plan. We can only approve the resources in the Business Plan. This will just help guide and focus the Council of Ministers and declare our intent as the States as a whole that we are supporting the decisions that we have made to manage the States finances correctly; until we know that we have new tax initiatives in place; until we are happy that we have proper low income support sorted out; until we are happy that '20 means 20' will not penalise the middle-income group of individuals on our Island; that we are happy that the tax package we agree to and approve is suitable for this Island. That is what my amendment is saying. I do hope that States Members will recognise that, accept what I am saying is truth based on fact and vote against the Council of Ministers amendment.

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

Roughly how much will it cost? I think every person who is planning a large project or an initiative will be familiar with this phrase. In opposing the Council of Ministers amendments, the Deputy of St. Ouen is putting the emphasis where it should be. Yes, detailed costings will become available as the development of an initiative progresses but any prudent person must know the approximate global spending implications before we start. Is the Chief Minister suggesting that, for example, if a project is suggested that Jersey should send a man to the moon we would not look at the global cost implications until we were well into the project? I think not. As for "existing" versus "approved", "existing" means, as the Deputy of St. Ouen has said, within the limits of the approved Business Plan. So it is perhaps a play on words but "existing", we have agreed a Business Plan so let us work within it. The overall amendment by Deputy Reed and his opposition to the Council of Ministers amendment is merely to ensure the financial probity and prudence of the Council of Ministers. "Existing" must mean within our resources, without spending monies that we think we have just found, without spending any windfalls, without being spendthrifts. Please reject the amendments of the Council of Ministers.

1.3.6 Senator S. Syvret (The Minister for Health and Social Services):

Listening to the Deputy of St. Ouen and, indeed, the previous speaker you would think that Members ranked on the Senatorial benches here who occupy the Ministerial positions were some kind of 1970s old labour dinosaurs. Is this Senator Le Sueur an extremely prudent, competent Minister for Finance? Senator Walker, Chief Minister? Is he noted for his profligacy and irresponsibility with spending? Senator Ozouf? I think I am going to have to start calling him Senator Philip Denis Healey Ozouf [**Laughter**] for the policies he is supposedly supporting here which are being portrayed as irresponsible tax and spend policies. They are nothing of the kind. As I suggested yesterday with the previous amendment, this particular amendment and the way it is worded simply is not able to be done. If the Assembly does not vote for the amendment of the Council of Ministers and instead votes for the amendment unaltered of the Deputy of St. Ouen, the Assembly will be voting for something that just cannot be done. Let us consider the wording of these amendments. Insert the words "the Council of Ministers will ensure that *prior* to the development of any new initiative, policies or strategies consideration will be given to all costs, revenue and manpower implications." Now, you cannot actually develop new policies and strategies unless you have that kind of information available. The fact is that if you have to get the manpower and financial implications first before you begin even considering the terms of new

policies or new initiatives you are just not going to be able to do it because until you have begun work on the strategy or initiative you are not going to have a handle on what its likely manpower or cost or revenue implications are likely to be. Likewise, the second part of the amendment of the Council of Ministers changes the word “existing” to “approved” and that is important because 2 very different interpretations could be placed upon the word. Existing resources might be just those resources that the States agreed last year and that might be what the Deputy intends. I do not know for sure but if that is the case as opposed to that which the Council of Ministers is seeking, which is “approved” resources, then we will not, in fact, be able to spend money on areas like respite care, nursery education, early years education, improvement of the housing stock, environmental initiatives, waste disposal initiatives, transport and technical services. The fact is, due to Senator Le Sueur’s works we do now have more money available to spend on these key crucial social and environmental and economic initiatives. If we cannot bring to the Assembly - for approval a new Business Plan that will have these sums in it - and they will be approved sums because they will come to this Assembly, then you can forget a whole raft of vital examples of States expenditure. Make no mistake about it, this amendment is an attempt to wreck the consensus that we have within the Council of Ministers and, indeed, the desires of many other Members of this Assembly to make very important social and environmental and economic investment in the future of the community. This amendment of the Council of Ministers has to be accepted because if it is not we will be voting instead for something that is just impossible to deliver and even if we tried to deliver it, the impact of it on social cohesion in the Island is likely to be severe in the extreme.

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

I am reminded in this debate of 2 children having an argument and neither wants to have the last word. I am afraid that some of the amendments brought by the Council of Ministers do appear to be - I have been tabled on some of my own amendments to the Plan as well as to Deputy Reed’s - an attempt to have the last word, to make a small change which allows them to leave their imprint on the amendment. I hope that those motives are not there but it does look like that and I think there is a clear case - unless we want to be here for the rest of the month - that somebody is going to have to give way. Someone is going to have to say: “That word that I wanted inserted is not actually as important as I thought it was.” Now, you can take the reading that this is a wreckers amendment designed to tie the hands of the Council of Ministers and prevent, as the last speaker was saying, a whole raft of social and environmental policies being brought forward. I do not believe that is what the Deputy of St. Ouen is trying to do. I believe the message coming out of his amendment is about good housekeeping. In that he used, perhaps, a slightly backward example of the housewife, this mythical creature, in St. Helier with a measly £100. **[Laughter]** But I think the point the Deputy was making was well made. His amendment sends out the message that the Island must live within its means and we have had a number of different readings placed on it by the Council of Ministers. We are now being told that it is almost a break clause and if we accept Deputy Reed’s amendment unamended by them, then everything is going to fall down. I do not believe that is the case. I think that we should accept that there is no hidden agenda in his amendment. He is simply asking that the message to go out from this Chamber is that we are going to live within our means in the future. I do not believe the record is that good in the past and that is an entirely appropriate message to send out and I give advance notice to the Council of Ministers. They have brought minor, I would almost say trivial, amendments to some of mine. For example, I want us to show the world that environmental and economic success can go together. They want to change that to the word “demonstrate.” Well, I am sorry, I think “show the world” is important and I will be fighting for that and I give them advance notice of it.

1.3.8 Senator T.A. Le Sueur:

I think the majority of Members around here are wondering why we are spending such a long time debating something which is rather like counting the number of angels on the head of a pin and the Constable of St. Helier suggests that the Council of Ministers simply wants to have the last word. I can only speak for myself and say that I am not interested in having the last word; I am interested in making sure we have the right word or the right words. As the Deputy of St. Ouen says, putting in the wrong words can alter the meaning or the emphasis of the statement. I admit that it is a shame that we are having this debate when his views and my views are indeed very similar. He wants to exercise caution. I think over the past few years I have shown that I also like to exercise caution. He wants to make sure that the Council of Ministers will manage the States finances. I am equally keen on that. He wants to make sure that control of public spending is paramount and so do I. So where is the difference? The difference, really, is in this perhaps pernicky way of ensuring that we have the right wording. The discussions we have had this morning suggest that maybe there is not a great deal of difference in the understanding between us but I think words here are important; words have a specific meaning and we have to understand the real and exact meaning of those words. So it is perhaps a shame that we have to have this debate but we do in order to get things right. It is certainly the view of the Council of Ministers that good as the Deputy's amendment would be in its concept, it would be improved by having these words to clarify and improve the situation. I very much reiterate the views of Senator Syvret that the first one requiring full cost analysis to be done before you even open the paper would be (a) impossible and (b) a very bad use of States resources. At a time when my objective is to contain States resources, I do not want to have to use up those resources unnecessarily. Equally, I do not see how one can use those resources to try to review something that you do not yet know what it is. As far as the second one is concerned, the word "approved" rather than "existing", I think it gives States Ministers greater control. Now, it may be that States' Members do not want to have greater control. But the message I seem to pick up is that States' Members like to have the final say. If that is the case, then I believe that the second amendment, putting in the word: "approved" gives Members that flexibility, ensures that the Council of Ministers cannot ride rough shod and that Members have their say. So, they may be amendments of detail, but they are important details. They are details, which we should get right. This Strategic Plan is going to last us for a considerable time. It is about starting off in the right way and not being content with second best in the way of wording. We want the wording to be clear, precise and understandable. On that basis, Sir, I urge Members to accept the amendment of the Council of Ministers.

1.3.9 Senator J.L. Perchard:

The Deputy of St. Ouen's speech was an excellent speech, I thought, and I agreed with most of it. However, I think he probably shot his bolt a little early in the sense that it had very little to do with this amendment. This amendment is about a detail of changing just 2 words and I have to say, I am very interested in Senator Syvret's complimentary quotes about Senator Ozouf, Senator Walker and Senator Le Sueur, and I wondered if it comes out as a result of the bonding session at the Hotel L'Horizon, but something has changed and I am fascinated by that. But, Sir, I wonder really if Deputy Reed is being pedantic here and I have struggled with his version, and I am speaking in support of the Council of Ministers' amendment, because as policy initiatives and strategies develop, so will the financial consequences of them. And those financial consequences will become clearer only when you develop an initiative or a strategy. It cannot be possible for any clear and accurate information about financial and manpower implications to be made available before you develop a policy. I believe the initiative - any policy initiative - financial and manpower initiatives, will develop together and have to develop together. It is not possible to develop financial frameworks and manpower frameworks before you develop the policy. That is why, regretfully, I am unable to support the Deputy, even though I like his speech, which really had little to do with the amendment. I will be supporting the Council of Ministers and I urge Members to carry on and do the same.

Deputy of St. Ouen:

Sir, as a point of information, I must respond to Senator Perchard and say to Senator Perchard, my speech was on my amendment and not on the amendment of the Council of Ministers.

The Bailiff:

Deputy, I am sorry, Members are only allowed to speak once unless they are raising some point of clarification. It did not sound like it to me. Any other Member wish to speak? Then I call upon the Chief Minister to reply.

1.3.10 Senator F.H. Walker:

Sir, I think it is a shame that we have had to have this debate at all and I think many Members share that view, and that is reflected in the limited number of speeches. Sir, the Deputy has made great reference to quotes from the Strategic Plan and from the Business Plan and previous Business Plans and so on. It is absolutely clear in so doing that we do share the same objectives and much of what he said supports Council of Ministers' objectives. But it is nothing. This particular part of the amendment - what we are debating now - has, as I said earlier, nothing to do with the level of expenditure. It is only about the States' ability and when the States exercise that ability and how it exercises that ability to take decisions. And basically, it is about approved versus existing. That is where we come down to. And it is about extra flexibility for the States. It is important flexibility, because the Senator Syvret and others speakers have said: "Take away that flexibility. Take away that ability for the States to react and you could be seriously damaging some very important social needs of the day." You could well be. It is too limiting, not to the Council of Ministers, but to the States in that respect, and could, indeed, be dangerous in that respect. So, it is approved versus existing. Either way, it is a decision of the States. Either way, the States remains in complete control. The Council of Ministers' way, the States have more control of their own destiny as things move on than it would under the Deputy's amendment. And Deputy Ferguson, Chairman of the Public Accounts Committee, said: "Any prudent person must know the spending limits before embarking on projects." Absolutely. No disagreement at all. It is exactly what the Council of Ministers is saying and what we said throughout the debates yesterday, so I am not quite sure what points she was making. Senator Syvret quite rightly said that the amendment of the Deputy could - I have already referred to this and almost certainly would tie the hands of this Assembly and I do not think that is where Members want to go. It would prove virtually impossible to deliver and would, as I said earlier, tie up considerable amounts of unnecessary additional resource. It would cost real money, potentially serious money, exactly what the Deputy is seeking to avoid. And the Connétable of St. Helier sadly again had one of these little snipes at the Council of Ministers, which I expect we will hear many more of throughout the rest of this debate. This is not an attempt to have the last word. We do not, as Senator Le Sueur said, want or need to have the last word, but we do need to have - the States needs to have - the right word. And I think the approach of the Council of Ministers is made abundantly clear by the fact that we have accepted the vast majority of the amendments put forward by Members. If we wanted the last word on everything, we would have opposed in one way or amended all those amendments. So, I think his words - not for the first time - are shown to be entirely, entirely hollow. He said he would accept or we should accept, the House should accept - that the Deputy of St. Ouen has no hidden agenda. I certainly accept that he has no hidden agenda. But equally the House should accept the Council of Ministers has no hidden agenda here and what we have put forward is a genuine amendment which, although minor in its wording, is significant in its impact. And Senator Le Sueur emphasised all those points. I am grateful to Senator Perchard for his support in this part of the amendment. I do not expect we will get it on the rest of amendment 13, but I am grateful to him for his support on this part of the amendment. I think what he said made absolute sense. The Deputy's speech did err very much into other parts of his amendment and did not focus entirely what we are debating today. So, Sir, the

Council of Ministers' amendment means there is no loss of control to States' Members whatsoever, absolutely none. In fact, it gives States' Members more control of their own destiny, more flexibility to react to situations as and when they develop in a positive and proactive way. So, Sir, I maintain the amendment and ask for the Appel.

The Bailiff:

Now, we come to the vote on the amendment of the Council of Ministers and I ask the Greffier to open the voting. All Members who wish to vote have done so. I shall ask the Greffier to close the voting.

POUR: 38

CONTRE: 9

ABSTAIN: 0

Senator S. Syvret
 Senator S. Syvret

Senator B.E. Shenton

Senator L. Norman

Connétable of St. Helier

Senator F.H. Walker

Deputy R.C. Duhamel (S)

Senator W. Kinnard

Deputy J.A. Martin (H)

Senator T.A. Le Sueur

Deputy S.C. Ferguson (B)

Senator P.F. Routier

Deputy of St. Ouen

Senator M.E. Vibert

Deputy P.V.F. Le Claire (H)

Senator P.F.C. Ozouf

Deputy S.S.P.A. Power (B)

Senator T.J. Le Main

Deputy S. Pitman (H)

Senator F.E. Cohen

Senator J.L. Perchard

Connétable of St. Martin

Connétable of St. Ouen

Connétable of St. Mary

Connétable of St.

Clement

Connétable of
Trinity

Connétable of St.
Lawrence

Connétable of
Grouville

Connétable of St.
John

Connétable of St.
Brelade

Deputy A. Breckon
(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 G.P.
Southern (H)

Deputy of Grouville

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.H.

Maclean (H)

Deputy K.C. Lewis
(S)

Deputy I.J. Gorst (C)

Deputy of St. Mary

The Bailiff:

Now, the debate returns to the amendment of the Deputy of St. Ouen, amended by the Council of Ministers' amendment. Does any other Member wish to speak on that amendment? Well, then I call upon the Deputy to reply.

1.3.11 Deputy of St. Ouen:

Some have suggested that I have strayed off the subject. The subject is very much about resources and where those resources are planned. It is quite right that I raise the issues that I did in my speech. Actually, my amendment speech did address the amendment at hand, Senator Perchard. I am concerned still that the initial considerations that need to be given when you are planning to introduce new policies and new initiatives are not going to be considered before the work is being informed or employees are being informed to carry out that work. And that is a danger that I think we have seen and allowed to happen within each amendment. However, I am grateful for the comments that the Council of Ministers has made and I, therefore, just will sit down and propose the amendment.

1.3.12 The Bailiff:

Standing vote. Those Members in favour of adopting the amendment as amended kindly show? Against? The amendment is adopted.

The Bailiff:

Now, there is a further green amendment, number 10 on the list. We come to the 11th item on the list in the name of the Connétable of St. Helier. I ask the Greffier to read the amendment.

The Greffier of the States:

After the word "appendix" insert the words "except that to." In the Council's top priorities on pages 14 to 15, in the existing priorities, insert the following items: The State of Jersey, a Report on the Condition of Jersey's Environment, January 2005, implement the 5 environmental priorities in the executive summary; Biodiversity Strategy for Jersey 2000/2001.

1.4 The Connétable of St. Helier:

I will begin with a quotation, a short one: "A natural environment is more precious and fleeting than any of us truly realise. In Jersey, we are particularly well blessed to live on an island of such breathtaking natural beauty, but that splendour brings with it an onerous responsibility. It is our collective duty to make sure we preserve and enhance our natural environment for future generations." Those words were written by the then President of Environment and Planning Committee, Senator Ozouf in his introduction to the landmark document, "State of Jersey". I must say I find it surprising that the Council of Ministers forgot to include this document in their list of existing priorities. I suppose it was just a slip, but I am anxious that that goes back in where it belongs as a high priority for the Island. And before I am asked, I will just explain what the 5

environmental priorities are that are identified in that document. The first one - it will not surprise Members to know this - is climate change. The second one is the high levels of waste production. The third: the pressure on the quality and quantity of our water resources. The fourth is transport and the fifth, changes in the countryside and our natural history. And that last fifth one brings us on to the other document which I want to be placed in the list of existing priorities, and that is Jersey's biodiversity. A short quotation from, again, another landmark document that received very poor circulation, I think, when it was produced, explaining what that is: "Biodiversity is a variety of life forms that we see around us. It includes the whole range of mammals, bird, reptiles, amphibians, fish, insects and other invertebrates, plants, fungi and micro organisms. Biodiversity also encompasses eco system variation and genetic variation." That document has a foreword by the then President of the Planning and Environment Committee, former Senator Nigel Qu  r  e. I will not read it out, but it endorses the need for Jersey to take special care of its rich variety of living things. I think what is particularly important about the document is that it reminds us that Jersey is already committed under the Convention on Biological Diversity and a number of other international agreements to respect its biodiversity. It is, therefore, not only important for Jersey and for Islanders and for visitors that we value our biodiversity and we seek to improve it and enhance it, but it is a commitment we have made to the world, and if we do not reflect that as important in our Strategic Plan, then people will say that our commitments to the environment are hollow and unconvincing. So, I believe both documents need to be up there. I hope that both of them will receive a much wider circulation than they have had. I have found them quite hard to find on the website and there are not many copies around at the moment in the Island. I think both those documents are important and both of them need to be put back on the table. I cannot resist the opportunity just to say that by some stroke of coincidence, we have visiting the Island this week, a fairly eminent Professor in Biodiversity, who is speaking at the Town Hall on Thursday evening. And with that, Sir, I will make the amendment.

The Bailiff:

Is the amendment seconded? **Seconded?**

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

Sir, I am pleased to accept the addition of both of these items as the Conn  table of St. Helier's amendment suggests. It must be recognised that the Strategic Plan is an overview and cannot begin to replicate the detail of all the various strategies and plans that sit under it. Nevertheless, as these are milestone documents that already guide the work of the Planning and Environment Department and will continue to do so, I am pleased to have them highlighted within the report. Progress is already being made on these 5 priorities, being climate change, waste management, transport, water and conservation of our natural resources. Examples include the strategies for waste in the rural economy, and the forthcoming sustainable transport plan, energy policy, contaminated land strategy and a water resources law. And we are shortly to be releasing a new biodiversity programme which will be in the next few weeks.

1.4.2 The Dean:

I hope to be able to speak on the Strategic Plan as a whole at a later stage, but on this amendment, I would like to say that I have noticed the increasing interest in the debate so far yesterday and today of Members in this House in matters theological. Yesterday, we had an encouragement to be charismatic in our delivery. We had a leap of faith. And this morning, we have had angels on pinheads. However, it does seem to me that you can have a Strategic Plan which you water down so much, because you feel that everything motherhood and apple pie must be contained within it. And yet there are moments where you have to catch the prevailing tide. We have done this by highlighting the need to concentrate on youth, as we see many of my generation - both in church

and in politics - that we have failed the youth of the last 20 years, and we seek to put that right. It seems to me entirely appropriate that the environment is something that we put in, because the same generation has made the same failure. And I am delighted not only that the Connétable of St. Helier has seen fit to bring this amendment, but that Senator Cohen has seen fit to accept it. There are, of course, extremely good theological reasons for protecting the environment. But whether you are people of faith or not, it seems to me this is the planet we have entrusted to us. It is the planet we have to pass on to the same youth whose future we elsewhere highlight and I am delighted to be able to commend the Connétable's amendment.

1.4.3 The Connétable of St. Helier:

I am very grateful to those Members who have spoken and maintain the amendment.

The Bailiff:

Those Members in favour of adopting the amendment, kindly show? Those against? The amendment is adopted. We come next to an amendment in the name of Deputy Duhamel. I ask the Greffier to read the amendment.

The Greffier of the States:

After the word: "appendix" insert the words "except that." In the Council's top priorities on pages 14 to 15 and the existing priorities, insert the following items, *Jersey Into the Millennium, A Sustainable Future*, update and agree and implement.

1.5 Deputy R.C. Duhamel of St. Saviour:

In developing strategic plans, which by their very definition give rise to road maps or directions that this House would like their Island to go in, it must be right that we hang some of those ideas on well-established principles, and indeed do a little bit of navel gazing to actually ask ourselves the question: "Why are we here? Why are we in government? What is government for? What are we trying to do?" It is with those ideas in mind, Sir, that I read and re-read, with a sinking heart, the original Strategic Plan which, notwithstanding the enormous amount of work that had been done, not just by myself but by other Members - and not only Members of this House, but past Members of the House and, indeed, members of the public - on the issues of sustainability and quality of life, only to find that no references were made within the document to the appeal of those overarching principles into which nearly all of the justification for what we do can be organised. Our Members will not have on their desks, but I will read from a particular document. This was a President's meeting, dated 9th June 2003, citing the development of the Strategic Plan for the States. It was written by the Chief Executive, or at least signed by him.

The Bailiff:

Sorry to interrupt you, but I see a number of Members looking through their Plan. It is pages 9 and 10 of the amended Plan which we are working to.

Deputy R.C. Duhamel:

I will start that again, Sir. Members will not have this document on their desks. It is not actually referred to in the coloured Strategic Plan document and I am going to quote from it. Copies will be made available to those Members who would like the full copy at a later stage. As I said, Sir, this was a note from the Chief Executive of the States on 9th June 2003 in relation to the development of the Strategic Plan for the States. And in discussing what that outline structure might be for, he started off by stating: "The structure starts from an overall vision for the States, aspirations for Jersey and then sets out aims for the States to achieve. These require further polishing and

clarification as we develop the Plan in conjunction with other politicians and officers. But at this stage, they could form the basis for starting that process.” He goes on, Sir, to define the aspirations for Jersey and they are worth reading out. The first aspiration is: “A sustainable Island where society, environment and the economy work in balance in order to promote a good quality of life.” In effect, Sir, that one statement sums up the ideas contained in sustainability. It is not just environmental sustainability. It actually seeks to look at social sustainability and, indeed, an economic sustainability and reference will be made to the documents that States’ Members do have on their desk in a moment to give more weight to that particular definition of sustainability. It goes on, Sir, to indicate that a worthwhile aspiration for Jersey might be: “A community where people benefit from equality in access and opportunity, are free from discrimination and are supported to become self sufficient wherever possible.” And the last one is: “An effective government accountable for its decisions and delivery of services.” The last 4 statements are somewhat embedded within the vision statements that the Council of Ministers have brought forward. But what was not there, until now, through this amendment and, indeed, through the previous amendment of the Connétable of St. Helier, was the suggestion: “A sustainable Island where society, environment and economy work in balance in order to promote a good quality of life.” In the report, Sir, appending my amendment, I suggest at the beginning: “Sustainability and quality of life are the 2 guiding principles on which any Strategic Plan should be based. They embody the concepts of care for the planet and concern for all life upon it. Without them, any Strategic Plan is soulless.” In the 5 years since the turn of the century, the world has seen growing evidence of the damaging effects brought about by uncontrolled growth in western lifestyles and industrialisation. Climate change, if unchecked, looks set to bring extreme hardship and life-threatening difficulties to millions. Governments are now beginning to take such environmental threats more seriously and starting to act in a globally responsible manner. It is, therefore, extremely disappointing that the Council of Ministers has failed to include sustainability and quality of life strategies amongst its top priorities. Now, we heard yesterday from the Minister of Health that putting some words into the Strategic Plan will make us feel good, but be under no illusion to the reality of what we are doing. And indeed, Sir, that Minister told the House that, as a committed environmentalist for some 25 years of his life, had come to the conclusion that environmental sustainability was not compatible with the western lifestyle or with economic growth. If we read, Sir, what is in the Strategic Plan in terms of its overall direction - if Members turn to page 5, fourth paragraph, the Council of Ministers state: “Our Strategic Plan is, therefore, based upon continuing to develop our knowledge, business and economy. We believe that only in this way will we be able to protect our heritage and environment, and invest in services and policies which promote our good quality of life, and increase opportunities and equity for everyone.” Sir, I think the cart is firmly before the horse. Sustainability and quality of life issues should actually be the lead directors, the lead indicators for what we do in economic terms. If we read the report, *Jersey Into the Millennium*, starting on page 7, where there is a definition of what sustainability in its generality means, and this is not just environmental sustainability, it is social sustainability and it is economic sustainability. It is all 3. We see in the box which is distilled from the Runtland Commission from 1987, when these issues were first thought about, not only by the Commission but by other governments of the world of which we are part: “Sustainable developments sees” and this is the second one: “economic, social and environmental issues as interlinked and it tackles then, in an integrated way, to achieve lasting solutions based on harmony. What it doesn’t do, what constitutes unsustainable development, is treating the economy, society and the environment as 3 separate issues and assumes that a healthy economy will automatically lead to a healthy and secure environment.” There is a subtlety here, Sir, that I think needs to be brought out. The vision statement on which the whole of the Strategic Plan relies is that by increasing our economic wealth, by going for a 2 per cent growth rate in the economy, then everything else will be fine. Now, the reality of the situation is that that is not the only way to do things and most of the world are beginning to face up, as I said before, in the face of global problems, of which we are a part, to the opposite point of view which says that you start at the beginning and then you work out what you have to do to achieve those particular aims. The

beginning, Sir, is to adopt sustainability and quality of life issues as the be all and end all, within which the economic policies of the Island should be integrated to such an extent that the treatment of our economic, social and environmental issues can be interlinked. Indeed, Sir, what we have done in moving towards Ministerial government, part and parcel of the reasons for moving in this direction was to, and I will use the phrase that was pointed to: "Break down the silo mentality that existed within individual departments." If we are going to pursue, headlong, economic growth as being the only way to achieve betterment in the other areas, we are only seeing part of the picture. And I will contend, Sir, quite strongly - as you can probably tell, that the raising of these 2 overarching principles must really be seen to be the guiding principles within which all the other policies will follow. On page 3, in another definition of sustainability, at the top it says: "A sustainable development or sustainability will take into account the environment and its capacity to support human activity in all decisions, but unsustainable development will treat the environment as a luxury to be protected if we can afford it." By omitting the *Jersey Into the Millennium, A Sustainable Future* document, in the original Strategic Plan, I think the second way of looking at things was really in the minds of the Council of Ministers. We do have a suggestion though, Sir, that this amendment is supported and I am thankful for that, but it might well be at the end of my speech that the Council might change its mind. Looking after one's environment is not the same as raising our environmental credentials. Indeed, Sir, one of the aspects of what we are trying to do through Ministerial government is to promote our international personality and to grow our international stature and profile. What better way, Sir, will be to put on the map the 2 guiding principles into which all our policies will be established. If the Island were to be seen to be punching above its weight, and we have heard that statement before in the context of how we make our money on the financial markets, what better way, Sir, would there be than punching above our weight in environmental and sustainability terms. And the key thing in doing this is that there is not an isolation between the economy or things that you do for the economy and supporting the environment or the pursuit of quality of life. All these things can be integrated. Various Members have suggested to the Treasury Department, Sir, that the Island, in making money, should be looking at ethical investment. Ethical investment is based on exactly that, looking at the ethics behind making money and not just making money for money's sake; to be going after particular markets that aspire and achieve higher levels of environmental and social organisation. Indeed, from the comments made by the Minister of Health yesterday, one would think that one could not make money and support the environment. We have only got to look at things within the building realms. Eco housing successfully brings together ways of making money while at the same time cutting down on omissions, heating houses with passive solar systems which do not require the use of fossil fuels, reducing carbon emissions and long-term looking after our planet in a way that sustainability refers to. If we do not do these things, Sir, we mess up our own environment, or run the risk of doing so, and the whole thing is very, very much short-term. Sustainability and looking after quality of life are long-term issues and this is why I have asked the original document which looked into these things be added into the set of priorities. I would have gone further, Sir, to have suggested had we had a priority setting of those strategic initiatives that this one might well have been at the top or at least very close to the top in order to punch, as I said, well above our weight in environmental terms. Global warming is no joke. Global warming might well affect us in ways that are going to be extremely expensive. Indeed, Sir, when the previous incumbent, Mike Romeril, wrote this report he did publish at the time - and it was put in the local paper - a map indicating what would happen if the then figures of the estimated figures for global warming were allowed to go unchecked. Large areas of St. Clement would end up under water. Large areas of St. Lawrence would end up under water. Large areas of St. Helier would end up under water unless the Island subscribes to a policy of building, perhaps, a new wall of a sufficient height, as the Dutch have done, to keep these waters out. Since that time, Sir, the environmental warnings that have been given by the international climate conventions and groupings have got steadily worse. And there is now a suggestion that in a lifetime period, some 50 to 70 years, and perhaps even sooner, we do not

know - and that is part of the problem - that perhaps the sea level rises might be as much as 7 metres. 7 metres would be devastation.

1.5.1 Senator F.H. Walker:

Could I ask the Deputy's forbearance for a minute? Sir, we have a huge amount of business to undertake in the debate for the Strategic Plan. I honestly, with greatest of respect to the Deputy, wonder whether the speech is, in any way, necessary? It does not change the outcome of the debate at all. The Council of Ministers is accepting the amendment. I appreciate the Deputy has every right to make his point, but we do have a huge amount of business to get through. We are accepting the amendment. Would it not be appropriate for the Deputy to accept that, to reserve the speech for when we deal with the issue of this report, which we will have to by accepting his amendment at a later date, when we can have a full debate on the issues he is making? But his speech today will make no difference to the outcome and, bearing in mind what we have to get through, I would ask him if he would, perhaps in consideration of the House, would not consider abbreviating it?

Deputy R.C. Duhamel:

With the forbearance of the House, I was coming to an end. I will continue to do that. I thank the Council and the Chief Minister for his interruption. Global warming, as I was saying, is a very serious problem and we are being told now that there might well be projections within our lifetime whereby not having to keep out maybe half a metre of water from various land masses, that it may be as much as 7 metres, which would seriously flood and inundate large tracks of the Island. Sir, this is a long-term problem. The reason I am making such a speech is to draw attention to States' Members to the point of the Strategic Plan. Yesterday, we heard that the Strategic Plan will be organised on a yearly basis in terms of the financing of it and in order to keep us flexible. In doing so, it rather devalues the idea of a long-term plan. Some issues can be developed inside 5 years. Other issues - some of the ones which I am referring to - have a much greater time for introduction. Those issues should not be ignored by moving to a one-year cycle or a 3-year cycle. Those issues should be taken head on and built into our long-term Strategic Plan. Indeed, Sir, that is my understanding of the word: "strategic." It is predominantly dealing with things that are long-term. Global warming is long-term, but the effects that could happen to the Island and, indeed, to other communities might be catastrophic. We have to put all of what we do into the wider global picture. We should not be just concerned with what we are doing here in the Island and indeed, Sir, in raising our international personality and belonging to the British Irish Council, and having a particular plan to talk to other governments, it looks as if we would wish to actually play a bigger part on the world stage. As I said, Sir, what better way than to raise sustainability and quality of life issues to the very heart of a long-term Strategic Plan. I think it can be done, Sir. I think we can match economic growth with environmental sustainability, with social sustainability and economic sustainability. I thank the Council for supporting this particular amendment. I hope, and I sincerely hope, that in terms of the priority-setting that will take place, that this set of priorities will be, as I said before, at the very top of the tree or very close to it. I make the amendment, Sir.

The Bailiff:

It is seconded? Deputy Fox? [**Seconded**]

1.5.2 Deputy J.B. Fox:

Yes, Sir. Between retiring from the police service and joining the States, I was very much involved in this Plan; in section 12, the social issues, health, law and order, and education. And people like retired Senators were involved and a number of other people, and a lot of good people worked on this Plan with Dr. Mike Romeril. It was very important in those days - and we are talking about 7 or 8 years ago - and the issues that were brought out in this document were examined very thoroughly;

they were all brought together very skilfully, and it was very sad at that time that it did not make it to the States and be brought forward. I am extremely pleased that it has been brought forward now. It still is an important document. Clearly, it has to be updated and amended where appropriate, as time has moved on. But certainly when I did join the States and became a Member of the Environment and Planning Committee of the day, I was Chairman of Les Mielles Sub Committee, and certainly the environmental aspects of the things that the proposer, Deputy Duhamel, has been talking about, the global warming, etc, is a real issue that has to be dealt with and it is appropriate that it is in this Strategy. I support it. I know it is being supported by the Council of Ministers, but it is one that we really have to get on board for the sake of all the work that was done by a huge amount of Islanders. I think it is a thank you to them that this document has now surfaced and will be taking its due place within the new Strategy, Sir.

1.5.3 Deputy I.J. Gorst of St. Clement:

I will be brief. The Council of Ministers welcomes the Deputy's amendment to the Strategic Plan, *Jersey Into the Millennium, A Sustainable Future*, update, agree and implement, which they believe will become a valuable addition to the Council's priorities. The Deputy, however, importantly states that the report needs updating in places, but the vision is as valid today as it was then. Suffice to say, Sir, the Council looks forward to the contribution to the updating process that the Deputy will no doubt want to make.

1.5.4 Deputy C.J. Scott Warren:

I took part in the important all-day forum under Dr. Michael Romeril's direction, although due to an oversight my name is not on the list, and I complained to him at the time. I certainly support the findings within this document and I totally support this amendment now. We must endeavour to keep sustainability issues at the forefront of our future decision-making.

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

I have been a grievous disappointment to Deputy Duhamel. I unfortunately do not sit in an unheated house in the winter wearing a big woolly cardigan following the precepts. I am a bit like Senator Syvret's person. I have been corrupted, Sir, by western civilisation and a lot of its joys. I think we are all in that position and he did raise a very good point yesterday. But just a few points, Sir. I think the point that Deputy Duhamel was making - I think it was - was that just as Senator Walker has had one conversion on the road to Damascus, if I may build on the ... I think it is a little hard for him to have 2 in one year. So, what I am suggesting, Sir, having had one conversion - and allowing him to absorb the full implications of that - I think he has to realise that what Deputy Duhamel was saying is it has to be integrated into all aspects of the Plan. This means dealing, Sir, with things like population policy, that never-ending, interminable issue that we struggle with - and ultimately realising that each policy impacts on the other. I must make the same points to Senator Cohen, who has made an excellent start, but I want to see real energy of the mental kind applied to issues like building regulations and so forth, where we need total revamps. We need a real indication that when it comes to influencing the way we build and the way we use energy, his Department is really pushing forward. That is the message from Deputy Duhamel, Sir, and I hope we can move forward. As I said, next year one conversion is good for one year ...

1.5.6 Senator F.E. Cohen:

I further confirm that the Council of Ministers is pleased to accept the addition of this item as Deputy Duhamel's amendment suggests. The report in question identifies 10 key areas: population, the economy, social issues, traffic and transport, pollution, waste management, energy, mineral and

water resources, biodiversity and natural resources, and the built environment. And in each case, sustainability is unquestionably a key. The Director of the Environment has already undertaken an initial review of all the policy options within this report. Many of the proposals have already been implemented or are progressing. Indeed, many are explicitly mentioned within the States' Strategic Plan. The reporting back process from the *State of Jersey* report acts to monitor the outcomes and implementation of the policy options. The report, however, will need to be updated to reflect the changes that have taken place since the report's release. One area requiring review will be the need to accommodate the decisions taken in relation to the economy and to accommodating increases in the working population. What we must do, however, is reflect the principles of sustainability contained in the Brunken Report, to which I referred yesterday. This defines sustainable development as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Many of the areas raised by Deputy Duhamel are also close to my heart, including looking at alternative energies and looking at ways of applying them to the planning process as suggested by Deputy Le Hérissier. Consequently, the Council of Ministers wholeheartedly supports the amendment.

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

We are all approving the amendment and Senator Walker, the Chief Minister and the Environment Minister have endorsed, along with other Ministers and Assistant Ministers, the principle of adopting this principle into our overall Strategic Plan. We have been urged to get on with the debate because there is a lot to talk about. But I am just worried that this is an opportunity that is going to pass us by as something that has fallen into the shopping cart; that we are not really going to be aware of when we reach the till and we have to take account as to what we are actually saying we are going to do. Because by accepting this, what we are saying is that we are going to review and update our philosophy, and we are going to continue to manage and update our knowledge on the issues as they are present before us. As part of this set of business which we are being urged to rush headlong into, we have the location for the facilities of the energy from waste plant tagged on to the end of this debate. I have spent the last 2 weeks looking quite vociferously into the issue of waste and composting, and initiatives of recycling around the world. I have, for the first time, come across information that I was not aware of and I have, for the first time, come across people in the agricultural industry, who were not aware of technologies; that actually make our plans for the future and our strategies for the future an absolute farce. We have agreed - and if we accept this today, I think the States need to review the Waste Strategy, a recycling percentage of 32 per cent by 2009. In 1996, Alameda County achieved 39 per cent. The State-wide target for 2000 was 50 per cent. The University of Columbia Bercher implemented an in-vessel composting facility, which accumulates food waste and composts food waste with green waste. It has diverted 3,000 tonnes in 2000 alone from landfill. Other initiatives in the United Kingdom: prisons - Her Majesty's Prison Morton being one in particular - have initiated new technologies to conduct in-vessel composting on site. Passing animal by product regulations, 12 schools in Wiltshire have also adopted the same equipment and technologies. They are being funded by DEFRA (Department for Environment, Food and Rural Affairs). Hundreds of thousands of tonnes of waste are being diverted from the waste stream. We have on our desks, placed in amongst this heavy agenda - an environmental impact assessment to consider - while we go through this debate and enter into the next item on the agenda, the location of an energy from waste plant. And considered within this environmental impact assessment, we are being told that we are looking to burn rubber tyres, which is an absolute nonsense. Our overall Waste Strategy seriously needs to be reconsidered and new Members to the States Assembly really need to apprise themselves as to the possibly opportunities that we now have in 2006 of dealing with our waste. Because if we look at the real alternatives that are viable and are safe and are non-hazardous and are sustainable, then we not only achieve for future generations the ability for them to divert waste in the way that they would want to, but we also have potential to save a phenomenal amount of money in the coming weeks. So, in agreeing this part of

the Strategy, what we are really saying is we are going to be sustainable. I would suggest to Members in this Assembly, if you are going to adopt this today, then we need to rethink our Waste Strategy, because based upon evidence which I can circulate to all Members, there is conclusive proof that our aspirations are woeful.

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

I am not going to rise to the bait of Deputy Le Claire in relation to his views on waste. If he wants to bring forward a rescindment to the Waste Strategy, then bring it on - through the Chair - please, Deputy, because we have had a debate about waste and I am confident with the plans that we did, and I am confident the way it is going to be implemented is still going to be. I think I am not going to rise to the bait. I will, however, rise to one particular bait, and that is the remarks of the *Jersey Evening Post* in the way in which this amendment has been characterised. This amendment has been characterised as a request to the States effectively to implement and agree one aspect, one small aspect of *Jersey Into the Millennium* Report. And before I actually explain what that is, I just want to, for 30 seconds, take Members back to 1998 when this report was being drafted. It was 1998 before I and many other Members of this Assembly were here. It was a year in which spending was absolutely out of control. The then Deputy Voisin put up a remark on a white board in Finance and Economics saying: "Spend, spend until the money ran out." Those were the days of 1998, spending out of control. It was a day and a world in which we choked off housing supply. There was complete lack of understanding of the reasons why housing prices were rising and thousands of our young people, thousands of Islanders could not afford to effectively own or even live in their own home. It was a world in which we failed to understand. The States did not even understand what the decent statistics were about population. Reg. of Uns. (Regulation of Undertakings and Development) consents were being dished out and (j) Category consents were being dished out without the slightest clue about how many non-qualified people in the Island. It was a world in which we were effectively really - or at least our predecessors were - making decisions in absolute fog, a fog of incompetence and a fog of a complete lack of any statistical information. We had a Housing Committee that was in complete chaos. I think there were 4 Committees that fell. I cannot quite remember. But it was a world which this Island, I do not ever think, would wish to repeat. We were grinding the Island, or at least our politicians and Committees were grinding this Island to a halt. That is before I even make any comments about inflation, because of course the consequence of all of these half-baked and crazy policies was an economy which was becoming increasingly uncompetitive. They were the chaotic days. I hope this Assembly has moved on in the last 8 years from where we were. Now, I just want to say that, because in many ways, I look back, and I have read this report again. There is much in this report which has either actually been agreed or is in the process of being agreed; energy policy, waste policy, spending control, housing all the rest of it. A lot of the fundamentals of this report have actually been already implemented. And I think that that is a credit to the great deal which was actually being done at the time in this report. In many ways, I think it is healthy that we update it and that we actually say the things that we have not done and set out a clear process in order to do them. In many ways the *State of Jersey* report has replaced a lot of the information that is in here. But the one note of caution that I would wish to say, and the one reason and the one word which means that I can accept this amendment is the word "update." Update we must, because on page 29 of this report it says: "The vision for a sustainable future is an Island with a permanent resident population of 85,000 or less." I am not a Hong Kongist. I am not an individual that believes that we need to see or want to see an increase in population to deliver economic growth. I am working very clearly within the parameters of the one per cent increase in working population. I must work within that figure. I am and I will. But we also must not go back to the bad old days where we do not balance social, environmental and economic objectives. They must be at the heart of decision-making. They are the trade-offs that we must consider. And to tell the Island that we can somehow turn the clock back and that we can promise a world which has a permanent resident population of 85,000, when we know we have

passed that figure - we have passed that figure in the last few years because of natural increases of birth over deaths - is a promise I am afraid I am not prepared to give. One per cent increase in working population, yes. I think it is absolutely right that we also have another debate about what the overall number of the population may well be as a consequence of that. It is going to be something in the order of an annual increase between zero and 500. It does not necessarily need to be 500. I am at the sharp end of this implementation of the States' population policies. I just warn Members, with great respect, that the economy is not some sort of machine that you can simply slam on the brakes and say: "No more, that's it. We're going to simply worship at the altar of population control." The economy is an organic being. It needs careful nurturing. It needs constant reassurance. It needs constant confidence building. And it was interesting to see former Senator Jeune in the paper in the last few days, saying we should go back to the world of effectively zero job growth. I say to Members: "Let's have a debate about that" because I do not want the message hung outside of Jersey that Jersey is closed for business. I want to balance the issues, work within the increase of one per cent working population, balance the social, environmental and economic objectives, and come to a compromise arrangement in relation to population increase, which is not, I am afraid to say, what is in this report of 85,000. We have done a great deal in the last few years to rebuild confidence. We are beginning to see the fruits of that rebuilding of confidence in the economic performance, which is at the heart of the reason why the income tax figures have been updated, and means that people like me, on the Council of Ministers, are prepared to allow a slight softening of the spending arrangements. We can do it because we can afford it, because the economy is working. There are trade-offs. This report was written in a world where those trade-offs were not understood. Let us update it, let us have an informed and proper debate, but please not back to the 1998 chaotic days.

1.5.9 Deputy G.P. Southern of St. Helier:

I always enjoy hearing Senator Ozouf's speeches. He is quite correct to point out that the one exception in the sustainability plan brought forward to 2001 was, in fact, that of population. He is quite right too, to warn that population will continue to grow. It is inevitable, as night follows day, that with economic growth in a small economy like ours, there will be growth in population, growth in permanent population. We have just apparently changed the regulations at the Council of Ministers to allow time unlimited (j) categories to be within the remit of many businesses. That is going to increase our population undoubtedly, so that population will be continuing to grow. Where he is wrong, however, is to paint such a dire picture of the pre-1998 world that he describes. Conveniently, I believe, because it is before he entered into the States and, therefore, it is somebody else getting the blame. The reality, however, is that pre-1998 we were a low-tax, low-spend economy. We are still a low-tax, low-spend economy and that is exactly how we are going to stay. There is no massive change from pre-1998, certainly not in the proportion of our spending which goes towards public services. We are relatively low-spend and highly efficient in our public spending. I cannot resist it, because I could resist anything else but a temptation, and I am tempted. So, what I have to say is if indeed we are witnessing a second conversion of the Chief Minister on the road to Damascus, I have to ask our Dean: "Does this constitute properly a true miracle?"

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

Are we close yet on a point of order to being able to have a closure motion on this particular amendment?

The Bailiff:

Not for a little while, I am afraid. It does seem a long time. I call upon the Deputy to reply.

1.5.10 Deputy R.C. Duhamel:

Just a couple of points. Some Members took advantage within the document to spin off into particular areas of interest. Two comments. Our Members would expect me to say something about waste management, in particular, since Deputy Le Claire started the ball rolling, but I will not tempt Members to leave the House, because my comments will be very brief in this respect. On page 8 of the executive summary report of *Jersey Into the Millennium*, it outlines some of the issues and recommended policy options for waste management. It starts off by saying: "Excessive waste generation represents a misuse of resources." And Jersey produces at about 430, and this other document it is 475, kilos of waste per person per annum. This is above the E.U. target levels of 300 kilos per person per annum. Right? It actually suggests at 11.2 that there is or there was then in 2001 - and indeed it was still there before that date, and this was in recognition of it - "A significant public desire to adopt domestic recycling schemes to reduce per capita waste levels in line with the E.U. directives. In trying to get the target levels down to 300 kilos, every effort should be made to draw upon that goodwill, since a sustainable waste management strategy is predicated upon achieving high recycling targets." Indeed, Sir, it goes on to say the more we can do in this particular respect, the better it might be in sustainability terms. Indeed, under the recommended policy option, 11.3, first bullet point, it says: "To obtain States' approval for the waste management strategy [which we have almost done] developed by Public Services [or the then Public Services] in conjunction with a company - with particular regard to the recommendations of another company - consulting company, to achieve advanced recycling." Now, I will just make one comment in relation to that. The advanced recycling that was being suggested at this time in 2001 was of the order of 45 per cent. The waste management strategy of course, as everyone will know, suggests that that maximum level should be of the order of 32 per cent. I will rest there on that particular issue. In relation to comments made by Deputy Southern that our growth is inevitable and we are a low-tax, low-spend society, that is true. Some growth is inevitable. In looking at the sections within the *Jersey Into the Millennium* Report, under Population, it changed. The main report focussed on a particular figure and said: "The Island with a permanent residential population of 85,000 or less was a vision for sustainable future in population terms." I think that generally the principle that was being proposed there, if not the figure, is still equally valid. A long-term population less than we have now might well be desirable. But the real query..... and the work that has to be done in updating this document is to actually face up to the fact that we have actually gone above that at the moment. We have to determine the overall lifetime of the aspirations for this particular document. It might well be and, in fact, if you speak to the Social Security representatives, they do actually tell us that there is a bulge in our population, and by 2030 a number of older members of society will no longer be with us, and there will be a sizeable change in the make up - I might be one of them, that is right, and I will still be speaking - there might well be at that time a different, population make up. Now, what sustainability is all about is not to tie yourself down specifically to a particular target and say: "Right, well if it's 85,000 it's acceptable. If it's 84,999 it's even more acceptable. But if it's 85,001 we've got a problem." That is not the issue. If we read again within the overall sustainability suggestions for *Jersey Into the Millennium*, it actually says: "Within sustainability there is give and take." If Members turn to page 2: "Principles of Sustainability" item 3.2, says exactly that: "Sustainable development is not a rigid policy framework, with a tightly structured blueprint, detailing every step towards one specific end result" i.e. 85, 89, 37, whatever it is: "It is about moving policies forward in a direction that leads to that goal. It should be a flexible, incremental process, adjusted as appropriate in relation to feedback." That is why I have asked for this document to be updated and amended, and to take into account the policies that we have agreed in previous States Chambers and Assemblies. But to actually reappraise as to whether or not the overall desirability of having a smaller population at some stage is, indeed, something that this Island would wish to aspire to. And if it does, in what particular framework - time framework - would that be a sensible thing to try to achieve? We can move backwards, forwards, up, down, in, out - or whichever way you want to look at it - over the period of time that we have desired to solve this particular problem and achieve it in a way that brings greatest benefits to the other types of problem that sustainability, as I mentioned before, tries to address in bringing about an integration

between the social areas, the environmental areas and the economic areas. 3.3 indeed says: "Sustainability is therefore more about direction than destination, and that underlies the point. It is about seeking to create a stable human population of diverse societies, living at peace with one another and within the earth's carrying capacity, with all human beings enjoying a more rewarding quality of life." We are back, Sir, at the beginning of my speech, where I read out the definition - which I agree to - of what sustainability is all about. Sustainability and quality of life, as I said, are the 2 overarching guiding lights, indicators, guiding principles, whatever you want to call it. If we do not build them into all of our policies, then we have to query why we are doing anything. They do co-ordinate and provide this overall framework which brings benefit to everybody, not just to people living in Jersey, but indeed, to all members of this planet in terms of being responsible for all our actions. A strategic plan should not just be about making money. It is about taking the wider view, and that is why this particular amendment is being proposed.

Deputy R.C. Duhamel:

[Aside] As I mentioned yesterday, there is an element within this House, without referring to the last speaker, who tend to take pleasure in trying to deride any comments that I made, because they basically have nothing to add to the argument. It is a sad reflection, as I said yesterday in this House, Sir, when Members can only rise to their feet in order to make deprecating remarks in order to bring a laugh to the Chamber and to side-step the very important issues that I consider important, and other people do as well, and I would appreciate, Sir, at that time, you could suggest that those comments are out of order and advise the Members that they should not make them.

The Bailiff:

Deputy, every Member has a right to address important issues in the way in which he thinks fit, but Members must respond, and I will say something about this in due course, to the exigencies of time. Members of course have a right to speak, but we have a long way to go during this strategy debate.

Senator S. Syvret:

Can I suggest, I think what many people find confusing is that there is not, contrary to what the Deputy suggested, arguments of seeking to side-step the arguments over this. This amendment has been clearly accepted by the Council of Members.

Deputy R.C. Duhamel:

In taking advice, I was told that this House, if comments ...

It is not just for my benefit, but it is for the benefit of all other Members who have spent their time bringing forward amendments to the House in good faith, and we were told, Sir, that irrespective of whether or not the Council of Ministers were going to accept them, there is a right and an opportunity, and a duty, if we so wish, to express our thoughts in this debating chamber. If indeed, Sir, that is not the case, then I think then a ruling from the Chair should be made to that effect, that all those amendments that have been put in by Members and have been accepted by the Council of Ministers, the proposer should just merely stand up, say that they have been accepted, sit down and we will all go away at a much earlier time. I did not think that was the case. I come to this Chamber, Sir, thinking that it is a debating chamber, and whilst taking on board your comments that I should not be here speaking for 6 hours or 7 hours - and I do not intend to do so - that said, I do have a right to express my point of view as the electorate who put me here would expect me to do. I make the proposition, Sir.

The Bailiff:

Very well. The vote is for or against the amendment of Deputy Duhamel, and I ask the Greffier to open the voting.

POUR: 41

CONTRE: 2

ABSTAIN: 0

Senator S. Syvret

Senator T.J. Le
Main

Senator L. Norman

Deputy G.C.L.
Baudains (C)

Senator F.H. Walker

Senator W. Kinnard

Senator T.A. Le
Sueur

Senator P.F. Routier

Senator P.F.C. Ozouf

Senator B.E. Shenton

Senator F.E. Cohen

Senator J.L. Perchard

Connétable of St.
Martin

Connétable of St.
Ouen

Connétable of St.
Mary

Connétable of St.
Clement

Connétable of St.
Helier

Connétable of Trinity

Connétable of St.
Lawrence

Connétable of
Grouville

Connétable of St.
John
Deputy A. Breckon

(S)

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 J.A. Martin
(H)

Deputy G.P. Southern
(H)

Deputy of St. Ouen

Deputy J.A. Hilton
(H)

Deputy G.W.J. de
Faye (H)

Deputy P.V.F. Le
Claire (H)

Deputy J.A.N. Le
Fondré (L)

Deputy D.W.
Mezbourian (L)

Deputy of Trinity

Deputy S.S.P.A.
Power (B)

Deputy S. Pitman (H)

Deputy K.C. Lewis
(S)

Deputy I.J. Gorst (C)

Deputy of St. Mary

The Bailiff:

Deputy, may I just say something from the Chair, arising in part from what Deputy Duhamel has just said. The Assembly has set aside 3 days for the Strategy Policy debate, and most people, I would have thought, would take the view that 3 days should be enough to complete the Strategy Policy debate. I imagine that most members of the public would think that. Now, we have at this stage reached 13 of 66 amendments, and that is without starting on the debate on the Strategic Policy itself, and I think that if we are going to have any hope of completing by tomorrow evening, Members are going to have to exercise restraint. Now, most Members, and I keep the scorecard here, do exercise restraint, but a small number of Members I think are speaking for too long, and I ask such Members - and they will know who they are - to exercise a little bit more restraint than they have exercised so far. Clearly, there are important matters to be debated, and those who have brought amendments must have the right to explain why they have brought amendments and to justify the amendments that have been placed before the Assembly, but that can be done, I should have thought, in considerably less than 10 minutes. Now, we come next to an amendment in the name of the Deputy of St. Ouen and I ask the Greffier to read the amendment.

The Greffier of the States:

“(b) In the Council of Ministers top priorities on P.14 to 15, in the existing priorities, insert the following item: ‘Balance State’s income and expenditure within the financial constraints cash limits agreed in the annual business plan’.”

1.6 The Deputy of St. Ouen:

I will attempt to show the way to a brief and simple speech, and equally, I hope that States Members will realise the reason why I spent so much time on my first part of my speech was because I covered most of the others on this particular amendment. Suffice it to say, this amendment simply highlights how the States manages its finances, and ensures that previously agreed guidelines are followed by the Council of Minister in the States as a whole. Equally, this particular priority, which I am pleased to see has been accepted, was included in last year’s strategic plan. Thank you.

The Bailiff:

Thank you, Deputy. Is the amendment seconded? **[Seconded]**

1.6.1 Senator T.A. Le Sueur:

Yes, Sir. Speaking on behalf of the Council of Ministers, I reiterate that I am quite prepared to accept this amendment. Indeed, it was something which I would regard as taken for granted, and maybe not needing saying, but if it were needed to be spelt out, I am happy that it is spelt out. I am happy to accept the amendment.

The Bailiff:

Very well. I put the amendment. Those Members in favour of adopting it, kindly show; those against. The amendment is adopted. We come to 14, in the name of the Connétable of St. Helier, Amendment 91, and I ask the Greffier to read the amendment.

The Greffier of the States:

After the word “Appendix”, insert the words: “Except that in the Council’s top priorities.” On P.14 to 15, after new priority 8, insert the following new priority: ‘9. Pursue improved protection for Jersey in respect of the various nuclear activities being carried out the Cotentin Peninsula and renumber accordingly.

Senator F.H. Walker:

Before the Connétable proposes the amendment, can I just make it clear that we have taken his comments on board. We do not think the wording he is proposing is very neat for a States document, but nevertheless, to avoid unnecessary debate, I am happy to accept that.

The Bailiff:

Thank you, Chief Minister. Connétable?

The Connétable of St. Helier:

I think it is the wrong amendment. We are doing the 91 on the nuclear activities.

Senator F.H. Walker:

I beg your pardon. We are also prepared to accept this amendment.

1.7 The Connétable of St. Helier:

It is of course a very important subject, but following the Deputy's example, all I will say is it should have been in the Strategic Plan. It was not, and now it is. I make the amendment.

The Bailiff:

Is the amendment seconded? [**Seconded**] Does any Member wish to speak?

1.7.1 Senator S. Syvret:

Yes, Sir. I am leading on the Council of Ministers for this issue. I will try to be brief, but it is important that Members understand a little of the background of this, and the need for this kind of provision and vigilance on the part of the Island. When you consider the historical performance of the French authorities in relation to nuclear matters, it is not good, and certainly in terms of trustworthiness, it has been extremely bad. When construction of the nuclear reprocessing plant at Cap de la Hague was begun in the mid-1960s, the local population were told by their authorities and their government that it was going to be a factory for the manufacture of television sets. We can add to that of course the act of State terrorism carried out by the French government when they blew up the Greenpeace vessel, Rainbow Warrior, in Auckland Harbour, and in the process, murdered a Portuguese photographer, a member of the Greenpeace crew. We know that the way that the nuclear reprocessing plant has operated is so incompetent that following their botched discharge pipe cleaning operation, they lost something like 500 kilograms of highly radioactive scale, which was left on the seabed at the end of the pipe to the prevailing marine current, so those hot particles are now in our environment. There is a lack of information and a lack of transparency with the French nuclear industry, and we do not have to take my word for that. We need only consider the words of Corinne Lapage, who used to be a Minister with responsibility for these issues in the French government, and she wrote a book about her experiences, and I will just quote a little of what she said. She described much of the nuclear establishment in France as "organised opacity" and she said: "Opacity is the rule, transparency the exception. The Ministers who have preceded me have the greatest difficulty in obtaining even snatches of information, therefore Huguette Bouchardeau was refused all information by SCPRI (Le Service Central de Protection contre les Rayonnements Ionisants) and was understood to be told that this area was not in her area. It was the same story for her successor at the time of Chernobyl. She went on to say that herself: "I have never had any available information, other than that which I asked the DSIM for. Any information which came my way spontaneously was rare and could not be concealed from me. As a general rule, one needs to know what information to ask for." So that is the word of a senior French politician speaking about the secrecy and lack of transparency in the nuclear industry. We of course have the EPR (European Pressurised Reactor) probably due to start construction some time in the

near future on the Flamanville site. There is a prototype under construction at the moment in Finland. All the indications are, given the contractual rows and time failures associated with that construction, that in fact, Areva and EDF (Electricité de France) would appear to be still basically designing certain aspects of it, and altering certain aspects of the design throughout the construction. This is not particularly reassuring. Added to this, we have the leaked document written by EDF to the French Nuclear Safety Inspectorate, in which they attempted to claim that the new reactor building would withstand an aircraft crash of the type of a military fighter, and sought to extrapolate from this that it would withstand the deliberate impact of a jet aircraft. It would not, as the detailed analysis by Large & Associates shows, from an engineering basis. You have to wonder about the wisdom of the construction of such buildings, still with those poor standards, in a post-9/11 world. Added to this, we have the nuclear reprocessing plant at Cap de la Hague, which is quite possibly the world's largest single site repository of plutonium. I think it has something in the region of 100 tonnes of weapons grade plutonium in there. It also has a variety of other highly volatile nuclear material: spent fuel rods, cooling ponds. There are very large tanks of highly radioactive acid, which are so radioactive they have to be stirred and refrigerated constantly, otherwise they would boil. These are going to be there for centuries, and quite how they are going to be managed, we just do not know. We also know for a fact that the CSM (Centre Stockage de la Manche) dump next to La Hague processing plant is in fact leaking. Recent studies have been carried out showing that the tritium levels in the St. Helene's stream, which flows under and through the site into the sea at tip of the Cotentin Peninsula is contaminated. I can quote from a report here: "The levels of contamination around the site are high water contamination from the CSM waste disposal facility migrates from the dump site into the underground aquifer. Farms then access this water in 2 ways, directly from contaminated rivers and streams and from deep wells. In the wells used by farmers to provide water to dairy cattle, levels of radioactivity are at 750 becquerels per litre, 7 times the European safety limit of 100 becquerels. In agricultural land close to the dump site, levels in the underground aquifer average 9,000 becquerels, or 90 times above the safety limit during 2005." So those are just a few of the issues and reasons why we need to be extremely vigilant when it comes to the French nuclear industry. We know for a fact that La Hague particularly routinely discharges significant quantities of radioactive waste into the air and into the sea, and indeed, it is the extant policy of this Assembly, of the Island's government, to object to such discharges, because we agreed a proposition to that effect. Likewise, we agreed a similar proposition objecting to the shipping of nuclear waste in the region, but our watchword in respect of nuclear activities has to be one of eternal vigilance, and that is why the amendment is absolutely correct. We need to pursue greater standards of protection in all senses of the word for the population of Jersey when it comes to these activities.

1.7.2 Deputy P.N. Troy of St. Brelade:

I just wanted to say briefly that the one thing that concerns me about these facilities is that their programme of expansion will continue, and as they expand, of course we get the risk of increased danger, not only on that peninsula, but also to our own Island. I would hope that the Health Minister is certainly monitoring radiation levels around the Island and that we are actively taking an interest in this issue. Perhaps Senator Syvret himself, who has a great interest in this, should be appointed by the Council of Ministers to monitor, negotiate and speak with the French authorities on a regular basis, because it is concerning that further expansion at these facilities out into the future does produce increased danger for this Island.

1.7.3 Deputy P.V.F. Le Claire:

In the amendment, it seeks to insert a new priority 9 to pursue improved protection for Jersey in respect of the various nuclear activities being carried out on the Cotentin Peninsula, but I ask the Council of Ministers, perhaps through the Chief Minister, to report back to the Assembly at the

earliest possible opportunity on 2 issues in relation to improved protection. One is when an incident occurs, there are various stages of alarms that can heard from the north-east coast of the Island, and incidents are denied and then later admitted in the press. Can we have a report back as to how members of the public will be informed, as it later goes on to say, about accurate and timely information when these exercises and these various alarms occur, because some of them may be incident-related - and have been in the past - so could we have a report back as to how the public will be informed. The second one, I would ask maybe perhaps the Health Minister to report back on, which is the facility for iodine. I did ask the Medical Officer of Health and I have yet to hear back as to the availability and the stockpiling of iodine in relation to issuing to the public if ever there was a need to.

1.7.4 Deputy C.J. Scott Warren:

I was one of a large delegation of States Members, led by the then Senator Pierre Horsfall, to go over to la Hague when there was an expansion, I believe it was 2000/2001. It was very obvious during our meeting, we were made very welcome, but no notes at all were taken during that meeting, and certainly I did not feel - and I believe I speak for the other delegates - that our concerns ... they were listened to, but that was as far as it went, I believe, and I certainly support this.

The Bailiff:

I call upon the Connétable to reply.

1.7.5 The Connétable of St. Helier:

Now is not the time for a debate on the nuclear industry in France, and that is why I kept my opening remarks brief. However, I did consult Senator Syvret on the wording of the amendment, and I am grateful for his support and his views. Deputy Troy asked about the active interest we are taking in the issue, and Deputy Le Claire asked for 2 matters to be dealt with. Both of those are covered by the later amendment. The first amendment is merely dealing with the pursuit of improved protection for Jersey and I am grateful to the Council of Ministers for accepting it.

The Bailiff:

I put the amendment. Those Members in favour of adopting it, kindly show; those against. The amendment is adopted. We come next to amendment 31(c) in the name of the Deputy of St. Ouen and I ask the Greffier to read it.

The Greffier of the States:

(c) The Council moves to top priorities on P.14 and 15 and insert the following new priority, "11. Balance States income and expenditure to include staying within agreed financial constraints limits, further improve the delivery and efficiency of public services."

1.8 The Deputy of St. Ouen:

Thank you, Sir. I will be as equally brief as the last one. I am delighted to see that the Council of Ministers has accepted this as a top priority or new priority for the future so it maintains the focus, and I just ask Members to support this.

The Bailiff:

Deputy, is the amendment seconded? [**Seconded**] Does any Member wish to speak?

1.8.1 Senator T.A. Le Sueur:

This reflects the decision agreed in the previous amendment of the Deputy of St. Ouen and is equally welcome and accepted in this case.

The Bailiff:

I put the amendment. Those Members in favour of adopting it, kindly show. Those against. The amendment is adopted. On to 16th, amendment 10(3) in the name of the Connétable of St. Helier, and I ask the Greffier to read it.

The Greffier of the States:

(3) In commitment 1 on P.13, after the words “successful and” insert the word “environmentally” and amend the wording on P.21 accordingly.

1.9 The Connétable of St. Helier:

I think this is almost a consequential amendment on yesterday evening’s amendment, and so I will merely repeat the fact that it should have been there, it was not, and now it is, and I thank the Council of Ministers for accepting it.

The Bailiff:

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

1.9.1 Senator F.E. Cohen:

To keep it short, I am pleased to accept the addition of this word, as the Connétable of St. Helier’s amendment suggests.

The Bailiff:

Very well, I put the amendment. Those Members in favour of adopting it, kindly show. Those against. The amendment is adopted. We come to 17, the 4th amendment in the name of the Connétable of St. Helier, and I wonder if we might take this as read, Connétable? I call the Connétable to propose it.

1.10 The Connétable of St. Helier:

Again, this is the detail of the first commitment of the Council of Ministers, and I have plagiarised Senator Ozouf’s comments as President of Environment and Public Services Committee in the *State of Jersey* document when he used the phrase: “We should show the world that economic and environmental success can work together.” I think that is important, and indeed, later in that section, 1.5, we have the phrase: “Jersey is a world-class business centre.” 1.7: “We have a flourishing finance industry with an international reputation for integrity.” So I do not think there is any harm in using that phrase: “Show the world.” If Members do not like the wording, they must blame the Senator. The other parts of the body of that are the detail. There is an amendment to that, Sir, and I think I will merely propose the amendment and let the Council of Ministers carry on.

The Bailiff:

Is the Connétable’s amendment seconded? [**Seconded**] Now, there is an amendment or amendments in the name of the Council of Ministers. The first one, Chief Minister, has been withdrawn, has it?

Senator F.H. Walker:

Yes, Sir, it has, but we maintain the others.

The Bailiff:

The other 2? I ask the Greffier to read (b) and (c).

The Greffier of the States:

(b) In the first bullet point, under the words “indicated by” for the words “2 per cent”, substitute the word “a”; and (c), in the 4th bullet point, for the word “prevention”, substitute the word “minimisation”.

Senator F.H. Walker:

Yes, Sir, I beg your pardon. Sir, I would like the Environment Minister to propose the amendment on behalf of the Council of Ministers if that is acceptable.

1.10.1 Senator F.E. Cohen:

Firstly, we firmly support the principle and aims of this proposal. The Council of Ministers can find no basis, however, for setting a 2 per cent reduction in the per capita consumption. In line with our commitment to evidence-based policy, to set such a figure we would require Jersey-specific research to establish an appropriate target. Such a study must also take into account the corresponding resources and cost implications. We hope you will agree that rather than adopt an arbitrary figure, it will be better to commit to a reduction, but leave the precise level to be determined when further information is available. With regard to the proposal to change the word “prevention” to “minimisation”, we suggest replacing “prevention” with the word “minimisation” as it is not always possible to completely prevent adverse environmental impacts. In adopting the precautionary principle, we aim to reduce our impact as far as reasonably practicable. This takes into account the level, scale and risks associated with any economic growth and its impact on the environment. All developments likely to have a significantly environmental impact, will require an environmental impact assessment to be carried out. This process identifies potential impacts and sets out measures to avoid or mitigate them to acceptable levels, as defined by international standards.

The Bailiff:

Is the amendment seconded?

Deputy G.W.J. de Faye:

Just a point of order, Sir, I realise the need for speed, and I commend Senator Cohen, but he has addressed 2 amendments at once, which I am concerned may lead to an element of confusion. I wonder if we just should address (b) and (c) separately.

The Bailiff:

I am sorry, Deputy. I missed that. I thought the rapporteur had addressed paragraphs (b) and (c), but he went further than that, did he?

Deputy G.W.J. de Faye:

He has addressed (b) and (c), but I suspect that the (b) and (c) are 2 slightly different things, and that Members may find it easier to address (b) and then (c).

The Bailiff:

They are in the same amendment; they are in the first amendment of the Council of Ministers, Deputy, so I think they are properly dealt with together.

The Connétable of St. Helier:

In the new spirit of partnership, and also cutting time, I fully accept that the first (b), which seeks to replace the target of 2 per cent with “a reduction”, that this is one I am prepared to accept. However, the question was raised where that came from. That came from a States strategic document, and without digging it out, I cannot remember whether it was from the *State of Jersey* or from the sustainability report, but it was certainly there, and I would also comment that of course we are adopting a 2 per cent economic growth target, so the idea of a 2 per cent reduction in the consumption of resources seems to me to be appropriate. However, let us leave the target and I will accept the Council of Ministers’ amendment to (b). In terms of (c), I have a little more difficulty. I accept what the Minister of Planning is saying, that there is always going to be some environmental damage, but it does seem to me that it is important that we have, when it comes to the environment, an absolute intention to avoid environmental damage, and replacing the word “prevention” by “minimisation”, it does seem to me to rather let everybody off the hook if we just say we are going to minimise environmental damage and not prevent it. The other point I would make is that under each of these points of detail, we have the phrase “indicated by” so we can measure the success of the Strategic Plan using these indicators and clearly, even if we never manage completely to prevent environmental damage, it does seem to me -- and we are always going to fail a bit, and that picks up the point that Senator Syvret made yesterday, that true environmental sustainability is perhaps impossible, but we have a target to aim at, and the aim is that our economic growth in Jersey, which is ambitious and which is necessary, and has been agreed by the States - when we pursue our plan for economic growth, our target will be to prevent environmental damage, and it seems to me that that is right, even though we may fail. We may fail 5 per cent, 10 per cent, I do not know, but it does to me that that is important. Looking through the rest of the document, I find that there are other places where the indicator is put in absolute terms. To give one example, there is a reference much later in the Strategic Plan - and we will get there one day - which says that our indicator will be that sea defences are not breached. It does not say that they will not be breached very often, it says that they will not be breached at all, and it does seem to me that that is a similar case. I think we should maintain the objective of preventing adverse environmental impacts, and we can measure our success by the extent to which we do that, as we report back on the Strategic Plan. That is all I will say on this amendment.

1.10.2 Deputy J.B. Fox:

I think I agree with the Connétable of St. Helier on this particular item, because “prevention” is an important word. “Minimisation” means you accept something, even though you want to do better, but you accept it, and I give you 2 examples. I, for 16 years, was head of a crime prevention department, which had a much stronger message than the current one of crime reduction, because it means that you accept something, and I do not accept that people should be victims of crime when you should be aiming to achieve it, and that is not just the authorities - that is beyond that - that is everybody should be able to achieve it. They should intervene, through whatever is possible, to achieve it; the same with Les Mielles, which I referred to earlier. It is important that one tries to prevent a beautiful area such as Les Mielles at St. Ouen from being eroded, to improve the environment. “Minimisation” sends a different message. It says that you will accept something that you do not want, so I would vote against this particular (c) for that reason.

1.10.3 Deputy G.W.J. de Faye:

Sir, I entirely agree with the sentiments expressed by Deputy Fox. Of course no one would wish to interfere with a site such as Les Mielles in St. Ouen, which has been a huge success story, constructed as it is, over our former irresponsible approach to simply dumping waste into landfill. However, these words are important, and prevention is a very strong approach compared to minimisation, and what problems might that throw up? I will give an example that I think might be

helpful for Members to consider. Currently, there is a number of departments and the Parish of St. Brelade talking about the possibility of reclaiming an element of land by the St. Aubin's harbour wall, in fact, alongside the section of harbour wall that is nearing a state of collapse and needs attention done to it anyway by the Harbours Department, so it is an opportune time to look at suggested plans that I believe - and I am sure the Connétable could correct me - that have been discussed in St. Brelade for some 30 years or so, or even longer, for the possibility of perhaps reclaiming land there that would help with the parking problems in St. Aubin and would potentially help local boat owners with more room for boat parking and so forth over the winter periods. Now, reclamation of land inevitably would require covering over an element of the beach, and what exactly happens when we discover that the section of beach may be a unique area for razor fish or cockle beds or whatever it might be? I am not saying that this is the case, but I am giving the potential of the difficulty. If we have the word "prevention", that might scupper the entire project from the very start before you even try and place your first stone. If we talked about minimisation, then there might be, albeit rather dramatic approaches, for example, the ability to entirely remove the relevant sections of sand to another part of the bay and then carry out your reclamation project, and that is why I think we have to take, as it were, a pragmatic approach to this. We all, I believe, have at least a light green element in our political thinking, and some of us have darker shades of it, and some of us take a very strong and entrenched view on environmental policies, but I think prevention is just a word that is too strong, and has the potential to cause limiting effects that I think that we may not intend at this stage, and I think that minimisation is the right word to use in this context.

1.10.4 Deputy R.C. Duhamel:

I think we should all say what we mean and mean what we say, and going back to the comments that were made in relation to amendment 8, it did indicate within the *Jersey into the Millennium* document that certainly in terms of energy, what was being suggested as a policy option, in line with E.U. (European Union) directors, was to achieve in the public sector a 2 per cent per annum reduction in fuel consumption. It is probably right that the Connétable, in referring to a 2 per cent reduction per capita in consumption of all resources - although he did not put "all" - was probably asking for too much there, so I am probably inclined to go along with his acceptance of that particular amendment. In relation to the other one, I was always told that prevention is better than cure, and I am not sure whether or not minimising the effect in some places would be the desirable course of action, so I think I would prefer to stick with the original wording.

1.10.5 Deputy G.P. Southern:

I was surprised when the Connétable stood to say he was not going to force the first part in (b), but was minded to stick with the second part in (c), because I would have thought he would have said the other way round; 2 per cent is a smart target, it is measurable. We might achieve it, we might fail; but it is measurable, we can see how far we have gone. It seems to me that to ask for complete purity in part (c) is asking too much, and it is not measurable in any real sense, anyway. I would urge the Connétable to accept the amendment brought forward by the Council of Ministers with some haste.

1.10.6 Senator M.E. Vibert (The Minister for Education, Sport and Culture):

I would echo the previous speaker, and I would urge the Connétable to think what he is asking and to accept he talked about targets all the time. We are not talking about targets, we are talking about indicators. Indicators should be achievable, and minimisation is the indicator that we can achieve. I think if we were talking about targets, it is a different thing. We are not talking about a target, we are talking about an indicator, and the indicator should be the minimisation.

1.10.7 Senator P.F.C. Ozouf:

Very briefly, this whole section was originally designed to be the section about the economy, and I have to say, I am absolutely delighted, I have not thrown away my principle on spending for the Deputy of St. Ouen and I have not lost my credentials about environmental practice either. I think it is possible to trade these things in harmony, and indeed, to work out environmental objectives. I am delighted that he has not pushed the 2 per cent. Deputy Duhamel is quite right, it was 2 per cent in the public sector, not the whole of the economy. The issue about minimisation: I suppose we could be accused of hair-splitting here, but minimisation is the right word. Interestingly, a number of Members have mentioned St. Ouen, and I suspect that there can and should be absolutely no compromise of the breaching of the sea wall in St. Ouen or at St. Clement, but where we are dealing with, for example, another area of St. Ouen, which is a recent extension to the sand and gravel extraction licence, there, if you were going to prevent, you would say: "No extension to that extraction." In fact, I am not sure whether it was my committee or whether it was Senator Cohen's Panel, that agreed to extend the licence for sand extraction. They have put some very tough restoration requirements in when the sand is extracted, and certainly the environmental consequences are going to be minimised. If we were going to prevent, we would say: "No extraction. No extension. No more digging out" and we would be back to those chaotic days of 1998 when we said we were going to bring all of the minerals into the Island and we were just going to shift the problem somewhere else. No. The Island should be looking to deal with its own resource requirements, and we should minimise, and let us not kid ourselves and not promise that in all cases, we can always prevent. Minimise is the right word. The Council of Ministers has tried very hard to improve the sensible amendments that have been put forward, and I think minimise is an improvement on the improvement that the Connétable had put forward.

1.10.8 Senator J.L. Perchard:

Just briefly, I believe the definition of preventing adverse environmental impacts may be quite hard to define. I will give the Members an example, if I may, Sir. The ploughing of land, which is part of economic growth, has that an environment impact? I think it probably has. The cutting down of 2 trees to allow a development, but then replacing those trees tenfold, has that an environmental impact? Yes. So prevention is a very hard word to define. I think minimisation is much easier and would be much more acceptable, and probably much less painful for those who are expected to implement such a strategy.

The Bailiff:

I call upon the rapporteur to reply.

1.10.9 Senator F.E. Cohen:

I thank all the speakers, and I hope they will excuse me if I combine my response. Whilst the Connétable's intentions are undoubtedly good, I am concerned that the inclusion of the word "prevention" is the road to disappointment, for it is totally unachievable. Minimisation, however, is dependent on a commitment to the goals. I assure Members that the Environment Department and Council of Ministers is wholeheartedly committed to the goal of minimisation.

The Bailiff:

Appel? Very well, I ask Members who wish to vote on this to return to their seats and the vote is for or against the amendment of the Council of Ministers. I ask the Greffier to open the voting.

POUR: 36

Senator F.H. Walker

Senator T.A. Le Sueur

Senator P.F. Routier

Senator M.E. Vibert

Senator P.F.C. Ozouf

Senator T.J. Le Main

Senator B.E. Shenton

Senator F.E. Cohen

Senator J.L. Perchard

Connétable of St.
Martin

Connétable of St. Ouen

Connétable of St.
Saviour

Connétable of St. Mary

Connétable of Trinity

Connétable of St.
Lawrence

Connétable of St. John

Deputy R.C. Duhamel
(S)

Deputy A. Breckon (S)

Deputy J.J. Huet (H)

Deputy P.N. Troy (B)

Deputy C.J. Scott
Warren (S)

CONTRE: 8

Connétable of St.
Clement

Connétable of St.
Helier

Deputy of St. Martin

Deputy G.C.L.
Baudains (C)

Deputy R.G. Le
Hérissier (S)

Deputy J.B. Fox (H)

Deputy J.A. Martin
(H)

Deputy P.V.F. Le
Claire (H)

ABSTAIN: 0

Deputy G.P. Southern
(H)

Deputy S.C. Ferguson
(B)

Deputy of St. Ouen

Deputy of Grouville

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 S.S.P.A. Power
(B)

Deputy S. Pitman (H)

Deputy A.J.H. Maclean
(H)
Deputy K.C. Lewis (S)

Deputy I.J. Gorst (C)

Deputy of St. Mary

The Greffier of the States:

Sir, it looks as though her weighty file may be pressing down on her contre button. **[Laughter]**

The Bailiff:

Are Members content that the record be corrected in relation to Senator Kinnard, who clearly is not here and did not vote? Very well, that vote will be corrected. Now we return to the debate on the

Connétable's amendment, amended by the Council of Ministers. Does any other Member wish to speak on that? Do you wish to reply, Connétable?

1.10.10 The Connétable of St. Helier:

I certainly do, Sir. I am sorry that my attempt to get prevention was not successful, and I am very grateful to Deputy Fox for his common sense views about crime prevention, that is a very good example, a telling example. I did not realise he had been in the police force, but I was very pleased to hear that as well, but I am particularly pleased that the Minister for Transport and Technical

Services spoke, because of course he will argue that he is minimising the environmental effect on residents' businesses and tourists of St. Helier as a result of our composting, which is very much an economic activity. What I really want to draw Members' attention to is something which has not been mentioned at all, which is 1.13: a new pledge that we will provide an annual report to the States by the Director of the Environment. That is not something we have had for a while. I think it is something we ought to have every year, and I look forward to seeing the first of those as a result of this amendment, assuming that in its amended state, it is going to be approved. Other than, I have got no other comments. I maintain the amendment.

The Bailiff:

Standing vote, Connétable? Yes, I put the amendment of the Connétable. Those Members in favour of adopting it, kindly show. Those against. The amendment is adopted. We now come to 19, amendment 13.2 in the name of the Deputy of St. Ouen. It is quite a long amendment, Deputy. May we take it as read, or do you wish it read out?

1.11 The Deputy of St. Ouen:

Take it as read, Sir.

The Bailiff:

Take it as read? I call the Deputy to propose it.

The Deputy of St. Ouen:

Thank you very much. Maybe because of the success I have had with most of my amendments so far, I should offer the Council of Ministers the opportunity to support this, and we speed quickly on. However, I do not think that is perhaps feasible at this time. I would just like to bring States Members to the various parts of the proposition very briefly and bring you up to date. We have agreed that the Council of Ministers will ensure that in the development of any new initiatives, policies or strategies, consideration will be given to all cost, revenue and manpower implications which may arise from a proposal. Priority will be given to those which can be achieved within approved revenue and manpower resources. We have also suggested and included in the Strategic Plan - and supported by the Council of Ministers - that as an existing priority, we are going to balance the States' income and expenditure within the financial constraints and cash limits agreed in the annual business plan. Finally, we have also said an agreed and approved - as well as it being an existing priority, the new priority will be that we balance the States' income and expenditure, including staying within agreed financial constraints and limits. Also, as another indicator, further improve the delivery and efficiency of public services. So, you may ask, why am I bringing this amendment? Well, I think it is extremely important, as I said earlier on in the day, that we recognise the promises we have made. We also recognise the point at which we are at and hence the reason for the first part or first action point, if you like, included in this particular amendment. It is quite clearly between 2007 and 2011, we will work within the revenue expenditure forecast indicated in table 4.1 of the States' Business Plan 2006, 2010, which is already agreed and approved. That was last year's Business Plan. Basically, what we are committing ourselves to is that currently - presently - until we reach the next business plan, that that is the case. We have to have a starting point, and I thought that, quite rightly, this is the starting point that you need to focus in on. So, that is the marker. That is the area that we can focus on. Equally, it should be easier if new initiatives do come forward, that the Council of Ministers simply need to say: "This is a picture that you agreed last year. These are the new initiatives that we would like to do. This is the extra money that we need to do it" and we will decide thereon. Simple, plain; it follows the programme, and exactly the programme that we do. 1.12 equally underlines areas that we have or

recently agreed on, that is, to limit capital forecast figures to £39 million for the years 2006 to 2009, and £43 million to 2010 and 2011. This was all included in the Business Plan - the current Business Plan - as agreed and approved by the States, and as I said, supported not only by Senator Walker, and with obviously particular comments equally by the Treasury Minister, who promoted it and proposed it. Obviously the States collectively agree it, and it clearly shows not only what the situation is going to be in 2006, but equally, 2007 and 2008 and the reasons for it. No one, but no one, has yet said - no one, including the Council of Ministers - why, and with supporting arguments, why this should not still be followed; no one, and I will tell you why. The reason is that the point that we discuss all this is in the next business plan, when the proposals come forward from the Council of Ministers department to say: "This is what we are looking for, this is what we want the States to consider." Quite rightly, because the business plan is the vehicle. There is no other vehicle. We have been told that. We have got a new Public Finances Law that quite clearly says it. There is nothing else but the business plan. Interestingly enough, the individuals that make up the majority of the Council of Ministers were the same Presidents of the past Committees that subscribed to this plan, that helped design the plan, that promoted this plan and agreed to this plan, and also agreed to the future financial and revenue expenditure forecasts. Departments have built their work programme around this plan - not some strategic plan that has just been created - this plan, so hence the reason why I am promoting the fact that we need to stick to what we know we have agreed. What I have picked up on - and I am extremely pleased to see in the new Strategic Plan as proposed by the Council of Ministers - is that the Dwelling House Loans fund moneys can be used; extremely pleased, because as a Member of the Housing Committee over the last 3 years, we have been continually pleading - pleading, I hasten to add - for the ability to use those funds, which we knew were there, which we knew could be made available. Again, I cannot help but say well done. Collectively, well done for agreeing that this sum of money is available to be used. Well done for acknowledging after, again, many States Members in this House have raised the issue that £39 million of capital money spent per annum are not sufficient. That is why we see problems at the prison. That is why we have got roads in a state. Ask yourselves, why did we get to £39 million? I can remember, I think it was 2003 - I am sure someone will correct me if I am wrong; it may even have been 2004 - at that time, we were promoting £50 million of capital expenditure per annum, then it changed to £45 million the following year, and £50 million I thought was quite a good number. Then we were told: "Well, no, £45 million is okay." "Why?" "We have got to balance the books. "Correct, but we have got a lot of extra expenditure here, ongoing revenue expenditure. Therefore, to keep the books balanced, we are going to reduce the capital sum." Now, I am not sure if that is prudent or not, in the eyes of the Council of Ministers, but I certainly do not view it as such. I think that you recognise that the sum is available, and you manage your finances accordingly; yet also, we must recognise there are needs, and I hasten to add, I have subscribed, and I will hold out my hand, I acknowledged that certain moneys that had been recognised as efficiency savings have been reinvested in 2006 within this Business Plan. I acknowledge that, and I supported it. However, I still acknowledge that we have got a major problem to face, and it is, as I say, spoken about as the "black hole." It is a new introduction of taxes, it is the concerns of the public about what the effect will be. It is not only the concerns of the public, it is the concerns about business. It is of concern to our Minister for Economic Development. What will be the effect of all the increases in taxes? How will it affect inflation? It is a concern of the Corporate Services Panel. So, going back to the Dwelling Houses Loan Fund, great, let us use it, but here is where the difference comes: I do not believe that you should use a closed pot of money - which is the case with this Dwelling Houses Loan Fund - for ongoing revenue expenditure. I think, quite rightly, it should and can be used for capital projects currently unfunded and which require funding, totally, absolutely 100 per cent support. Perfect. Ongoing revenue expenditure? No, no, no, because when it runs out, then what? Finally, the last action point in my amendment asks to separately identify the financial support required for the income support scheme. Everyone might say: "Why is he asking that?" Twofold: first of all, because we have

approved a principle of introduction of GST. We have also promised currently, although that is another topic that we will discuss later on, that it will be 3 per cent for 3 years.

The Bailiff:

Deputy, I am sorry to interrupt, I just thought that you might like to be reminded that have spoken for just over 10 minutes.

The Deputy of St. Ouen:

Thank you, Sir. If 10 minutes saves this Island £57 million or whatever the figures are that the Treasury Minister throws up ... According to the Council of Ministers, Sir, it is suggesting that I am promoting the saving of £100 million. Well, if it is 10 minutes or if it is 20 minutes, I am sorry, Sir, but I really am sticking to the point, but I do believe the point needs to be made. This is not a laughing matter. This revolves around the livelihoods and prosperity of this Island. I will be as brief as possible, and I do understand your concerns. They are mine. Why have I asked to identify the income support scheme? It is simply because we have promised that if - when - we introduce GST, that we will have a specific, identified, meaningful income support scheme to ensure that our people, our community that are on low incomes, are sufficiently provided for. We have promised that. Now, that promise cannot be an empty one. That promise and the requirement that that promise needs to be properly and clearly defined. We cannot just pluck a figure I do not believe out of the air and say: "Oh, well, if we chuck £20 million or £15 million at it, over a period of 3 years, that should average things out and that should be good enough." No. We are introducing GST not for a year or 2 or 3. GST will come in and it will be there as a tax. Therefore, we have got to be absolutely clear what we require; what we need for that to fully financially support that income support scheme. Then, confidently, we can say: "Yes, let us introduce GST. Let us introduce our income support scheme and this is the package that we can confidentially provide. These are the sums of money." We might need to raise extra taxes to pay for it but let us see the numbers. I really do appreciate the amount of work that various Ministers have spent on this particular topic. I am not degrading that amount of work. I am just asking that before we introduce ... and we have got time, until 2008, until we introduce GST. Let us look at the financial requirements for that income support scheme and really get to grips with it so that when GST comes in, the income support scheme is there, which is meaningful and meets the needs of those that are less fortunate than ourselves. Going back to 1.13: I think the Council of Ministers has ... perhaps, again maybe it is my English but when I said: "Limit capital forecast figures to £49 million in 1.12 and £43 million in 2010 and 2011" I then go on, 1.13. The important words are: "add to." "Add to" means exactly that. It is not to supplement or maintain the capital forecast figures of £39 million and £43 million. I am using that reference simply to identify where we are at now, which is a number again stated in table 4 of the States Business Plan 2006/2010. I see some Ministers shaking their heads. I would say: "Hang on a minute". I was told, quite rightly: "Go and see the Treasury." I visited them twice. I met the main officials that had helped to design the forecast in the Strategic Plan. I made it very clear to them and left them with notes about my intentions. I equally provided my amendment in advance, my draft amendment at that stage, to be circulated to the Treasury Minister, to ensure that there were no doubts. I knew that there were no doubts because I did not have any reply: no one telephoned. No one commented. I said: "I am available if anyone has got any questions about it." "No. No. It is fine. It is okay. No problem." However, it does seem to be a problem because the comment of the Council of Ministers is that I am seen to be suggesting what Corporate Services are suggesting. I am not. This is the Deputy of St. Ouen's amendment on the Strategic Plan. The Deputy of St. Ouen. So, before anyone jumps on to the bandwagon and the idea that I am promoting the fact that the Dwelling Houses Loan Fund would in some way not have a beneficial effect - and I say Members can read my report as well which is clear enough - is a nonsense. This is adding about £32 million worth of capital expenditure to the figures, as quoted between 2006 to 2011. So, in other words it can be used as proposed by the Council of Ministers as suggested in the

Strategic Plan. The only difference is, I am saying: “Sorry, yes, capital. No to ongoing revenue expenditure.” And with that, Sir, I will propose my amendment.

The Bailiff:

Is the amendment seconded?

1.11.1 Senator T.A. Le Sueur:

I appreciate that there has been a large measure of agreement between the Deputy of St. Ouen and the Council of Ministers. Sadly, I am afraid it is not present in this particular part of the amendments. I think this amendment and that from the Corporate Services Panel both follow the same theme and have the same objective, which is that of significantly reducing State spending for next year and beyond. I hope therefore that much of what I say in respect of this amendment can also be taken in the context of the subsequent amendment. My first response is to welcome both amendments because I think they give Members the chance to debate some fundamental principles, which really go to the heart of the Strategic Plan. They offer an alternative vision. Although it is not a vision which I or the Council of Ministers subscribe to, it is a vision which I acknowledge is sincerely held. Some people may wonder why I do not support that vision. Surely I was the President of F and E the last 3 years that has been tightening the screw, cutting down the growth of State spending. Have I abandoned my principles? No, I have not and I think my fellow Ministers will testify to that. Three years ago I saw the need for corrective action. We were living beyond our means. States spending was growing too quickly. The rate of inflation was too high. The Finance Committee of that day proposed certain measures, not entirely popular with some Committee Presidents, and the States accepted those proposals. The States and the Island is now in a better position. Spending is under control. Inflation is under control. It is my intention that over the next 5 years spending does remain under control and that we maintain our inflation target. The financial forecast for the next 5 years shows that we are keeping spending under control but that does not mean that we should try to slavishly balance our budget each and every year. My over-riding principle is a fundamental one of keeping balanced budgets over the 5-year cycle, taking the longer-term view of something which I acknowledge the States have been quite bad at. I think that the advent of the Strategic Plan gives us the opportunity to plan ahead better. It is an opportunity which we should grasp willingly and eagerly. As the Deputy acknowledges, we are not addressing the financial forecast within this debate and I shall be happy to go into more details of that in the Annual Business Plan at the right time. However, controlling States spending is only one part of the strategic picture. To get a more rounded view one has to look at other facets. There is the economic growth policy, roundly endorsed by the States last year, which requires some government stimulus to promote economic growth; there is the issue of good stewardship which requires us to maintain our infrastructure, particularly our roads and our social housing; there is the need to look to the future with confidence. I believe that with the additional confidence of an agreed set of policies, the additional confidence of a Council of Ministers working together and the confidence demonstrated by the economy in the private sector we can, and indeed must, be prepared to demonstrate our own confidence in the future. That is why, so long as we retain that fundamental principle of living within our means, I support the increased level of growth within the Strategic Plan. I do not believe that the plan is unsustainable. If I felt that was the case I would say so. I have hardly been known as a reckless spender in the past **[Laughter]** and I am not going to turn into one now. So, I make those comments really as a preface to the debate on this amendment and to that on the Corporate Services Panel. But, turning now to this specific amendment. I have no problem whatsoever, with the heading: “States revenue and capital expenditure is effectively controlled.” If that was all the amendment said I welcome that. The trouble is that it goes on to provide, as an indicator, that the States will only agree to levels of expenditure described; agreed and posted in the preceding year’s business plan. It then goes on to detail - in sections 1.1.1 to 1.1.3 - what measures the Deputy would propose to take that objective. I have no problem with 1.1.4, which is something I would do

anyway. I say the Deputy is a reasonable man but the way the amendment is worded then, strictly speaking, we would cut the spending over the 5-year period by something like £100 million. I appreciate that that was not the spirit of his intention. But, even taking a more reasonable basis of what he expected we would cut spending considerably; spending mixed between capital and revenue spending. By the way, those measures he proposes would have one advantage that I could endorse. They would add to the downward pressures on inflation. Indeed, I suggest they could go further and discourage - if not destroy - any prospect of economic growth over the next 5 years. Without that economic growth there will not be enough tax revenues to fill the black hole he was talking about. So that arguably taxes might have to rise, or spending would have to fall still more in order to balance our books; the standard of living in Jersey would fall and although I acknowledge that there might be fewer people as a result, I do not think we want to talk ourselves into economic decline, despondency and gloom. That is why the comments of the Council of Ministers are so stark. This amendment strikes at the heart of the Strategic Plan. It replaces confidence and growth with stagnation and deterioration. In the short term that effect might be manageable. Over the 5-year period it could be fatal. I think that the Deputy may have brought his amendments on the basis of polishing up his crystal ball and foreseeing structural deficits in the future. If so, I am pleased that he is aware of that danger. I too am aware of that danger. I have made sure that the Council of Ministers is equally aware of that danger. I have done my arithmetic to the extent that one can do in predictions. We have to be careful. We have to live within our means; we cannot embark on spending plans which we could not deliver within our resources. Above all, we have to keep taking stock. We have to review our figures and those of the world economy and be prepared to take any corrective action at an early opportunity. I believe that within this Council of Ministers we are geared up to do that and I personally shall be ensuring that those reviews take place fairly regularly and are acted upon if necessary. The Deputy appears to believe that we can deliver as good a service as the Island currently receives, within the spending profile of last year's Business Plan. The Island could survive, I grant you, but the standards and quality of service would quite rapidly decline.

I suspect that there are certain Ministers who could not even fulfil their statutory obligations with a reduced budget but I will leave it to those Ministers to make their own particular case. I would simply say that as one with responsibility for States assets, which are of course the public's assets, I too could not perform my duties of stewardship to an adequate level. To me, stewardship is reflected in the gospel parable: I would prefer to be the steward who is given 5 talents and returned 10 to his master. The amendment, I would suggest, is more like the cautious steward who takes his one talent and puts it under lock and key. I leave it to Members to work out the rest of the parable. Over the years I may have gained the reputation for being a pessimist; certainly cautious in my outlook. I remain cautious in my outlook but I am becoming more confident as I see the way in which our policies and strategies unfold and I see the Island growing in confidence. You might say, to use another metaphor, that I have taken my foot off the brake. Members can be reassured that I have not transferred it to the accelerator pedal. **[Laughter]** It is still hovering above the brake ready to be trodden on again. This Strategic Plan does not propose rampant growth but it will develop momentum of its own. To approve the Deputy's amendment would be to curtail that growth. To me, that would be against the Island's long-term interests and I urge Members to reject the amendment.

Senator J.L. Perchard:

Can I just ask a point of order? Perhaps you could advise the Assembly after lunch, if this amendment by the Deputy of St. Ouen is accepted what the effect would be on the amendment being proposed by the Corporate Services Panel.

The Bailiff:

Very well. The adjournment is proposed. The Members agree. We shall adjourn until at 2.15 p.m.

LUNCHTIME ADJOURNMENT

The Bailiff:

The debate continues on the Amendment of the Deputy St. Ouen. Deputy Ferguson?

1.11.2 Deputy S.C. Ferguson:

I must, before I start, congratulate the Deputy of St. Ouen on the amount of work he has put in. Perhaps Members will understand why I was so pleased that he was elected to the Public Accounts Committee. **[Laughter]** It seems to me that we seem to have perhaps got our views muddled up. As I see it, this particular amendment is talking about how the Council of Ministers will deal with, and their approach to ... using the Business Plan. In the section 1.11: this is saying that we will work within the parameters of the previous Business Plan. In other words, the Business Plan for this year, for 2006, which was agreed by the States in September 2005 for the period 2006 to 2010. I see no problem with that. I hope that the Council of Ministers for 2006 are working to the approved Business Plan as agreed by the States. Similarly, the capital forecast for 2006 was £39 million. We are looking, as part of the Business Plan, at the forecasts - an integral part of the Business Plan which were saying: "Yes, we are going to work with £39 million for 2006 to 2009, rising to £43 million in 2010." The comment about the DHLF: I must agree with the Deputy of St. Ouen, this is a capital sum and I think normal prudent financial management is that capital sums should be spent on capital items and not frittered away on revenue items and extra services. Because, as the Deputy rather picturesquely puts it, when it has gone, it has gone. When we have the new Business Plan then we will look at the adjusted forecasts - which is the place for the detailed forecast - not in the high level visionary document. Why are we effectively changing all the forecasts in the middle of the year before we have the Business Plan? They are included in detail in the Plan. You know we have approved the 2006 Plan. We are working to it. Later this year we will be discussing the increases, and so forth, in the next Business Plan. So the changes should come as part of that. I think we should remember that anything beyond 2006 is a forecast and in principle. It will be adjusted in the 2007 Business Plan because forecasts are just that. I mean they depend on the accuracy of the estimates and the assumption you have, so that the forecast will constantly be fine-tuned. It will get more accurate the closer you get to the year you are forecasting for. One thing that does bother me in the figures that have been flying around, is that originally we were told that: GST £45 million, efficiency savings £20 million and economic growth plan £20 million were earmarked to fill-in the black hole. They seem to be kind of sliding out of the black hole and being used elsewhere. I would like the Council of Ministers to bear that in mind. I am not sure of the detailed figure and no doubt somebody will manage to correct me, there must be something in the order of £10 million to £15 million of carry forwards embedded in the system which is really indicative of surplus cash within the system. I know measures are being taken to tie that down. But there is still the amount that has never been taken out because I have not seen budgets reduced by the amount of under spend. I think this is a very well thought out and clear amendment which is applying to this year's Business Plan, or next year's, depending which year you are talking about. I think it deserves support. Thank you, Sir.

1.11.3 Deputy J.A. Le Fondré of St. Lawrence:

The comments I wish to make are obviously in respect to this amendment. Because I hope I can use my time a little more efficiently and avoid speaking again, my comments should also be applied to any parts of amendment 11 being brought by the Corporate Services Panel, which are not supported by the Council of Ministers. Deputy Reed speaks an awful lot of common sense. Indeed, I find it very easy to agree with a lot of what he has said. However, I am minded not to support either his

amendment or amendment 11. I would stress that this is a fairly finely balanced decision. When I was canvassing last year one of the matters frequently raised, when speaking to people on the door, was the level of States' expenditure and the perceived level of waste that occurred within the system. This theme carries on in conversations with members of the public even now. Indeed, is a strong theme presently being pursued as part of the *JEP* public purse campaign. At the time I was delighted that undertakings had been given that one of the methods being used to cover the so-called "black hole" being caused by 'Zero 10', as we call it, was the saving of £20 million. Indeed, every report I receive continues to indicate that these savings are still on target. I will freely admit that I was less than impressed when I first realised that these monies that will hopefully be saved have been earmarked for being spent elsewhere. It may well be the case that this can justifiably be called "reinvestment." However, to me, reinvestment is something that generates a return or generates further savings, it is not something that represents further growth of service. Now, when I first saw the Strategic Plan with its original deficits in 2010 and 2011 of £29 million and £33 million, I think it was, I was even more concerned. Deficits of £30 million-odd tend to concentrate one's mind, even if they are 4 or 5 years away. They are not necessarily for the 2 years at the end of the Plan. The question is: do they continue into the foreseeable future and how accurate are they? Now, the difficulty that Treasury has - as I am starting to find out - is in trying to project that far away with any degree of certainty. Many of the assumptions that they make are dependent upon, for example, what we as the States may approve in the future. An example will be the various proposals at the time of the budget debate. So to a certain extent Treasury operates at the prudent end of assumptions when making their forecasts. They are not being over-prudent. They would consider their numbers to be reasonable projections, given the constraints under which they operate. Thus the forecast, for example, for 2005 was originally a deficit of £6 million. This has changed into a £3 million surplus when the 2005 accounts were produced. That is a variation of over £9 million. You, or the public, might well ask can we not get our sums right?" But, bear in mind, this was less than a 2 per cent difference on the projections. The equivalent for an ordinary person is to ask: "What would my income be in 5 to 10 years time? Will I be able to identify that figure to any degree of accuracy? Can I say now what my total income for 2011 is going to be within 3 per cent?" Most people will not be able to do this and the Treasury is in a similar position as a result. Bear in mind a 3 per cent difference is roughly £15 million and you will start to get a measure of the problem. A 10 per cent difference between projected figures and actuals will mean a variation of £50 million a year. If you combine this with the fact that we are facing ... and I would say it is probably the greatest change in our tax system in recent years, and that while we can estimate the likely change you can probably guarantee it will not be 100 per cent spot on and you will begin to understand my concerns. Now, it will also be argued that I, as an accountant, am being naturally over-cautious and overly prudent and everything will, in fact, be all right on the night. The reason accountants tend to urge caution in this situation is that we often see what happens when it all goes wrong. Personally, I would much rather be facing the House having underestimated a surplus rather than having underestimated a deficit. It is, to a large extent, far better to have the money and then to spend it, rather than not to have it and to have already used it. I would also add that it is my perception that many Islanders are becoming more and more concerned over the increasing burden posed on them by the States. While they do seem to accept GST and '20 per cent means 20 per cent' broadly speaking, I would suggest that middle earners are becoming more and more concerned at the increase in such matters as university fees and all the other smaller areas where costs are rising and are being directly imposed upon them. While people may argue that the majority do not want to see services cut, I think that the majority of people also want any new services to be rigorously and, perhaps, even clinically examined to see whether they are necessary, rather than nice to have. I believe that we will continue to see a demand by the electorate for efficiently run services, but services that it is necessary for the States to run, rather than just convenient and for benchmarking to take account of the private sector as well as just other public services and other jurisdictions. I read with interest the letter in Saturday's *JEP* - from former Senator Reg Jeune - in which he made reference to the old example of a prudent housewife in terms

of the control of the Island's finances. I think you will find he has tapped into the concern of Islanders as to that very fine balance of growing the economy and still retaining what is good about the Island and its people. So, after all that, and probably having made the case for supporting the amendment, why am I not voting for either this or the relevant amendments proposed by Corporate Services? Principally, because I do accept the fact that being over-cautious can be as dangerous as being a spendthrift, i.e. that the argument that we need to spend some money in order to assist the economy, is persuasive. In addition, Treasury will be monitoring and reporting the financial position even more regularly than they do now. Now, we do have a number of years to take any additional measures that might be necessary to balance the books and the 3 main fiscal changes that come into the House this year. It is not time to panic yet. There is always a danger in such matters that one is looking so far ahead that we trip up on the first step. This will be an ongoing process and this Strategic Plan forms a part of that process. It is, after all, just a plan. It is, in the words of the Chief Minister a few weeks ago: "A broad framework" and will not be a straitjacket. If the States in the future approve a Business Plan which differs from the Strategic Plan the Council of Ministers will have to work to the Business Plan. If amendments to the Business Plan change the priorities in the Strategic Plan, then it is the States who will decide. We will not be giving Ministers an open delegation to determine policy. Indeed, on Tuesday he committed to no structural deficit by 2011 and no new taxes to be introduced. It is the combination for these statements that, for me, tips the balance in favour of not supporting this amendment. It is the position at the time of the Business Plans that will be critical. Thus, I do not support the amendment. I do wish to underline that this is dependent upon the revision of projections for future years to bring us back to a properly balanced budget. Thank you, Sir.

1.11.4 Deputy J.J. Huet of St. Helier:

I am not sure if I really want to follow that speech after having 2 accountants in front of me. But I am not an accountant. I hope I am just a prudent housewife. I was fine until earlier this morning when I had no problems. But, looking at the Strategic Plan and looking at page 18 which I had read about the Dwelling Houses Loan Fund, read it and thought I understood. Because after working for 6 years on the Housing Committee, I knew that we had a lot of properties that needed a lot of money to bring them back to the way that the Trust properties are now, which are in excellent condition. We need a lot of money spent there, as we have been not allowed enough for many, many years. It was a ridiculous amount. We were just putting sticking plaster on cracks. So, I was fine. I thought: "That is great, £32 million. Yes, £7 million. Obviously, that is with the interest. That is fine. Five years. Right, that is no problem, so fine." Now, that is the housewife's side. Then I came to the Deputy of St. Ouen. When I read 1.1.3 I then had a slight nose twitch and thought: "Now, hold on. There is something not right here." I thought: "Why is he bothering to say, 'Add to the capital the money from the Dwelling Houses Loan Fund'? We have already added it. It is already set out in here. No problem. We are going to use that money to put our houses all into order for the people that are living in them. No problem. Why is he making it so definite?" So, I asked. And maybe my nose was not too bad after all because I now have been told. I am really asking: "Is this true or not, that of that £32 million which we have had in this Fund, only half of it is going to go to doing our properties and to repairing the cracks and everything else?" I would have said we needed most of it. The other half, as I understand it, is going to be just split up among whomever else wants it or needs it, whether it be for capital or revenue. Now, I obviously have read this incorrectly or I am being told I have read it incorrectly. I would like to think I had read it correctly and I would like to think it is all going to the Housing Minister for his houses. [Aside] I hear what you say, but I know it is needed desperately. But, if this is true and it is not going all to the housing, I am not too keen on this. This is not good housekeeping because in that case if it is open for grabs to anybody that wants it, or thinks they need it, we could have ... Deputy Scott Warren has been promised this for ages. Well, I mean the amount she is looking for is a pinprick on what we are going to have left of this, £16 million. You could give it to them. So, I am really asking for some

clarification here. Is this money not really going to housing but half of it is going to be frittered away which you cannot replace? It is capital and we are talking about putting it on revenue. When we said "revenue" I thought this was the house revenue, I did not think it was all and anybody. I would just like that point clarified. Thank you very much, Sir.

1.11.5 Senator P.F.C. Ozouf:

I am pleased, I hope, to be able to help Deputy Huet in relation to the DHLF (Dwelling Houses Loan Fund). Because perhaps it would be of assistance to explain to her that the Council of Ministers was going to be proposing to take an amount of money from the DHLF, as set out in the Treasury Minister's programme, to put into the general revenues of the States, partly but not directly, but to pay for the additional revenue that the Housing Minister won at the Council of Ministers for his persuasive arguments in needing to deal with the backlog of maintenance. Now the situation has changed somewhat. Because of the new forecasts that were given last week, the Council of Ministers has seen that we do not have to take that money from the DHLF. The good news is that the Housing Minister - if the States go on to approve the Business Plan - will get the money for that backlog of maintenance out of general revenues without touching any of our savings. So, the fact is the DHLF is as safe as it was when the Deputy was on the Housing Committee, but nobody is touching it. That is really where the big difference is now between the Deputy of St. Ouen and the Council of Ministers because the Deputy of St. Ouen is proposing to be a bit of spendthrift on the quiet. He is proposing not to lock up the DHLF out of the hands of any Minister or any department. He is proposing to allocate that money into the capital programme. That is where we would respectfully suggest to him that we are being more frugal than he is. He wants to spend it. He wants to put it in the Capital Fund. We do not. We want to lock it up. We do not want to spend it. There was a period a few weeks ago when we thought that we might need it but the good news is we do not. So, it can stay there and it can stay there until we decide a good use, perhaps housing, perhaps something else in future. But for the moment do not spend it. So the Deputy can vote with confidence - with frugal confidence - against the Deputy of St. Ouen, knowing that both the Housing Minister will get his money and the DHLF is safe. On that basis - with the other remarks of the Treasury Minister - we should, on frugal grounds, vote against the amendment that he puts forward.

The Bailiff:

I do not know whether Senator Perchard wanted to speak or wanted a ruling?

Senator J.L. Perchard:

I would reserve my right to speak but would like the ruling on the question I posed before lunch.

The Bailiff:

Yes, in a nutshell, Senator, it seems to me that the effect of the Assembly adopting the amendment of the Deputy of St. Ouen will be that paragraph 1.2.3.(i) of the Scrutiny Panel's amendment will have to be withdrawn. This affects the Dwelling Houses Loan Fund and it is the object of the Deputy of St. Ouen's amendment to add that to the capital forecast, whereas the Corporate Service Panel amendment would add the DHLF to the Stabilisation Fund which it seeks to establish in its amendment. So, there is a small overlap and that is the effect of the Assembly adopting this amendment.

1.11.6 The Connétable of Grouville:

There seems to be some misapprehension here as of 4 weeks ago when I discussed this with the Minister of Finance - the Treasury Minister - the actual DHLF had gross assets of £52 million, of which £40 million was in cash and £12 million was in the process of being repaid over a period of the next 5 or 7 years, however fast that happens. But the £40 million had already been transferred to a Capital Fund where it was being held I understand in trust for the DHLF. I am just trying to tell the House that as a matter of clarification, so that the actual value of that fund is £52 million. Thank you.

1.11.7 Deputy C.J. Scott Warren:

I was very pleased to hear the Minister for Treasury and Resources state that he has not got his foot on the accelerator, albeit that his foot is now somewhat off the brakes. I do have some concern about whether the Council of Ministers is being over optimistic regarding managing any future black hole. However, I have been aware ever since I was first elected to this Assembly in 1999 that there are very serious social issues - also environmental issues - that need addressing. Housing, the appalling state of some non-qualified people's accommodation that they endured at often extortionate rents were among the first problems I encountered. The inequity endured by some people in our community did and still does not, to some extent, do Jersey any credit. While I know that things have improved regarding housing, there are still people living in poor accommodation and/or paying high rents. There is always a juggling process with allocated funds for health and social services provision. Our prison is of great concern and more resources for Home Affairs, including for education, are essential. Another problem on the environment side, speaking for the former Deputy of St. John, is the poor state of our roads and the lack of adequate resources allocated in recent years to the former Public Services Committee. There are still a number of homes not connected to the main sewerage network. That is just a few examples. I could have spent another couple of hours probably finding more examples. But I will not. The Deputy of St. Ouen has done much detailed work but I do not feel that I can support his amendment. However, this Council of Ministers will need to be vigilant and rein back on revenue and future capital expenditure if present circumstances adversely change. One example of that would be high inflation. Thank you, Sir.

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

I like the Deputy of St. Ouen. **[Laughter]** Yes, I am afraid it is going to be one of those speeches, Sir. We do, you see, agree on many things but on this amendment I am afraid we are going to have to agree to differ. I do understand the Deputy's problem with trying to amend a Strategic Plan when it is not possible to directly amend the resources forecast that is on page 17 of the Plan. In fact, my Panel came across the same problem pretty early on in its review. But I think in his efforts I fear that he has inadvertently, probably, fallen between 2 stools. His amendment will find favour with neither the Council of Ministers I am afraid, nor my Panel. The Council of Ministers will not like being shackled - and probably neither would I - to a resources forecast and Business Plan devised in 2005 for every year until 2011. After all, things do change. The first 2 sections of his amendment, 1.1.1 and 1.1.2, will enforce this unequivocally and particularly so when coupled to the other parts of the Deputy's amendments. Conversely, the third part of 13.2, that is 1.1.3 goes what I would say anyway completely in the other direction adding substantial sums to the capital vote. We would, therefore, conceivably see capital spending growth approach, what, 20 per cent per annum over the next few years? Quite possibly. Even the freest spenders within the Council of Ministers will, I am sure, feel this to be unwise in the extreme. Unless of course they feel there may be a possibility of dressing-up some extra revenue spending as capital spending, and raiding the Capital Fund as a result; a Fund so graciously and enticingly swelled by this amendment. What is interesting, though, is a comparison of the Deputy of St. Ouen's amendments: the proposal to put the DHLF into the Capital Fund and my Panel's proposal which, hopefully, will be discussed very soon, to put the

DHLF in fact into a Stabilisation Fund. Because in fact if our amendment is accepted, and the DHLF is put into a stabilisation fund as we suggest, it is likely that at some time in the future at least some of it will end up as increased capital spending. The key words are: “At some time in the future.” Because, indeed the purpose of a Stabilisation Fund is to increase spending at a time when the economy is past its peak in the economic cycle and the dangers of increasing inflation - as a result of increased spending - are diminished. Also, of course when you are likely to get better value from that capital spending because the market will have the spare capacity to cope with it at that time.

The Bailiff:

Deputy, you might come back to the Deputy of St. Ouen’s amendment.

Deputy P.J.D. Ryan:

I will do so, Sir. The DHLF: it is worth reviewing exactly what it is. I think this is part of the Deputy’s amendment. What its purpose is: it is a loans fund. It was never intended to be a spending fund, either revenue or capital. And, so, in this respect [**Interruption**]

Well, Sir, the title of the fund is a Dwelling Houses Loans Fund. I do not know which ...

Senator T.J. Le Main:

The advice received by Housing was that it could be used.

Deputy P.J.D. Ryan:

I will give way, Sir.

Senator T.J. Le Main:

The advice received by the law officers by the Housing Committee of the time was that it could be used for social housing or for housing of the public on the Island - the Deputy of St. Ouen is nodding in agreement, he was on the Committee - it could be used for capital.

Deputy P.J.D. Ryan:

Nevertheless, I believe when the Dwelling Houses Loans Fund was first established it was established, as we all know, for helping first time buyers to purchase their first property through loans. I do not believe that the States ever intended it to be a capital spending fund or indeed a revenue spending fund. So my comment - in this respect - is the same over this amendment as it is in fact for the Committee of Management’s plans to spend the DHLF through transferring it generally to the Consolidated Fund and to help reduce deficits generally. I believe that this Fund should be retained as a loan fund or, anyway, as a strategic asset and not irrevocably spent. The Stabilisation Fund - by default and by definition - must and will have funds put into it in times of economic growth, thus “repaying” any loans made from it to the Capital Fund during downturns. The Deputy’s amendment, however, truly spends the money once and for all. I would ask what happens when it has all gone? My Panel’s amendment conversely would, in time, give the same advantages in terms of investment in infrastructure but in effect its terms of use are more akin to a loan rather than a gift to ourselves, through the discipline that a stabilisation fund will instil, providing we have the courage to set it up properly.

1.11.9 Deputy G.P. Southern:

I have to admit to being confused. I thought I understood what I was here to vote on and what I was here voting about. The Deputy of St. Ouen was proposing cutting the profligate spending of this particular Council of Ministers and I was going to rise to my feet to oppose that, fairly obviously because I do not want to see further cuts in public spending. Now I am told by Senator Ozouf that:

“Hang on, we have found some extra money and what the Deputy is proposing means an extra spend. He is the one who is being profligate.” I am therefore tempted to support the Deputy of St. Ouen. In many ways I admire him for coming in and doing what he has done. He reminds me of an old-time cowboy riding into town to bring some order to this dissolute place, with his 6-guns blazing on his reliable steady horse, Prudence. **[Laughter]** Unfortunately, he is shooting from the hip and I think at the moment he appears to have shot-in the barbershop window; he has winged a couple of the barbershop quartet and he has just shot the town dog. **[Laughter]** So, I do need some clarity from the Minister to decide which way I am going to vote on this. I must say, when I first came across the DHLF I was very attracted by it. I thought: “Oh, how much money is there?” I was busy beavering away, over a year ago, seeing how I could get my hands on that and put it where? And put it to repair the lamentable state of States housing. **[Aside]** I got some very sharp intakes of breath when I started poking around it: “Oh, you cannot touch that.” Here we are a year later and we can touch it apparently and we can do certain things with it. It is available. It is a pity it was not available over a year ago in the same obvious way. But, my suspicions are raised by the £30 million extra funding that we appear to have discovered something somewhere. My suspicions are roused because it seems to me - from my experience in the past - we do not usually find extra revenue until we have finished the latest round of public sector pay rises and then we find some extra funds in the pot when people have been asked to tighten their belts and take a small faith rise. It seems to me very often additional revenue, as it were, from nowhere comes conveniently, particularly in its timing. This one too appears to be more than coincidence, perhaps, that this £30 million additional revenue should be found at a time when we are looking at: “How can we possibly fund this spending?” So, I have my suspicions. Anyway, I seek clarity on a fundamental question: can we actually start to repair the state of our States housing under this Strategic Plan? **[Aside]** I will wait for the answer. It does not have to be now, Senator. **[Laughter]** Or do I have to rely on voting for the Deputy of St. Ouen’s profligacy, as it now appears.

1.11.10 Senator T.J. Le Main:

I feel I ought to follow that and probably on very few occasions the Deputy and I are totally in agreement. **[Laughter]** But let me just explain a little bit. **[Laughter]** Let me explain a little bit about this Dwelling Houses Loan Fund. Seven years ago - when I took over the Presidency of the Committee - one of the first things I did to try to get some funding was to look at this DHLF. It was opposed in every way by Senator Ozouf, by the Minister of Finance then; they said we were unable to use it, to borrow it, to pay it back, to use it and the Deputy of St. Ouen will agree we fought tooth and nail. We end up 6 and 7 years later now wanting to use it, can use it: “Oh, yes, yes, yes.” We have been promised we can use it but the funds are going to come from something else now, which is fine by me. But I have under my administration a huge problem as Deputy Southern and many of the other Members know. We have got 20 per cent of our accommodation that is in desperate need of refurbishment. I need a categorical assurance. I have been given it and I am saying to this House that I am going to get the money next year. Because we have got a huge problem on heating, insulation; we have got elderly people living in places like Convent Court; the wind is coming through the windows. It is costing them pounds a week more in being able to heat and afford to live in their homes. We have a huge problem. I am looking today and I am told by my co-Ministers that I am going to have this money next year. We have got some super plans, which we intend to bring back to this Assembly: on refurbishments; on sales, perhaps to existing tenants, first-time buyers. We have got some huge bold plans we are going to bring forward. But I certainly was very worried with the amendments that are floating around, particularly from Deputy Ryan and his bunch of merry men **[Aside]** where I was worried ...

Senator J.L. Perchard:

I do take offence to that. It is the Corporate Service Scrutiny Panel. **[Members: Oh!]**

Senator T.J. Le Main:

I will get my handkerchief out in a minute for the Senator. **[Laughter]** Well, if he takes offence to that, Sir, I would not like to think when he sees me in real flow. **[Laughter]** Then he will have something to worry about. But, I really have to say that my Housing Ministry has a very, very great job ahead of it. We have got 2,000 pensioners living on the breadline; 2,000 pensioners that are simply living on the Jersey basic pension in real difficulty. Everybody knows the heating costs that are going to go up by 25 per cent next year again. And I need money, real money, to do the job. I know for a fact that I am going to get that support from this Assembly, rather hell or over high water I need that support. I am confident that the Members of this Assembly will at long last - after 7 years of prevarication and putting-off all the time - that I am going to get this money to do the work. We have a duty to the low income people of this Island who cannot defend themselves, many of them, to put into place a proper structure over a period of years, even if means taking the money out of a DHLF. We need that money and I need that £6 million a year for the next 5 years, plus what we are probably going to ask this Assembly to support in selling-off unsuitable properties or being able to capitalise on providing more home ownership. There is a huge problem, increased in the last 2 years, where many more of our tenants and many more of those living in Trust accommodation have now increased incomes to such a point that I wonder whether all these people need to be housed by the public sector or supported in Trusts. So, I urge Members to please support me; **[Laughter]** support my Assistant Minister and myself to make sure whatever way we do it we receive the cash we need.

Deputy G.P. Southern:

Could I have a point of clarification, Sir? The Minister did say we were in complete agreement. We are of course not in complete agreement. Partial agreement.

1.11.11 Senator J.L. Perchard:

Just to remind the Minister for Housing, the debate is on an amendment from Deputy Reed to the **[Interruption]** Council of Ministers' Strategic Plan and the issue of particular interest to the Minister for Housing was the contribution of the DHLF to the bottom line of the Strategic Plan. In the Strategic Plan it is not targeted towards any refurbishment of any housing stock, it is in the Strategic Plan, on page 12, just lost in the total contribution of revenues available to the Council of Ministers. The Deputy Reed proposition, on the other hand, quite clearly allows the DHLF to be targeted at capital projects - such as roads, housing - and as does the amendment we will be debating next. While it does place the money in a Stabilisation Fund, this Fund is available for capital so the Minister will be pleased that the 2 amendments probably makes the availability of these funds for his housing stock more probable because the Strategic Plan simply uses ... if Members want to look at page 12, the DHLF is simply lost in the total revenue available to the Council of Ministers to fund their new spending proposals, Sir.

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

I thought this was a nice simple straightforward alternative solution until I sat down this afternoon. Clearly, it is getting more devious and more complicated as we go. I would suggest to you, that the Council and the Ministers need to review the whole question. When I see a DHLF I assume it is for giving loans to people who are desperately trying to get their own homes, not to be carved up in every different direction. That is what I thought our new Ministerial system is, that we would be sorting all these things out. Now I appreciate we are in the early stages and that it might be some way down the road, but please can we start reviewing these properly instead of picking. I remember, Shirley Baudains, I think, when she was a Deputy, was looking to get her hands on the £50 million, the Social Security pensions money. It was something that seemed to be available that we could use and get ourselves out of some difficulty at the time. I am sorry but government is not

about short-termism. Government is about long-termism and it is to provide things that private industry or private enterprise does not do well. On the other hand, there are things that the States do not do well and private industry does better. But, clearly in this thing if we have a fund that says: "Dwelling Houses Loan Fund" and we do not now need it because the interest rate is better from the commercial banks, or whatever, then that is the time when a proposition should be brought to the States and that should be either sent back to the Treasury facilities, which is what I suspect is the Council of Ministers is after. But I also suspect that I would agree with the Minister for Housing that we desperately put some serious money into the repairs that are needed for our housing stock. All the rest of the arguments are ancillary. But, clearly in this one we are tinkering with the problem. Therefore, I perceive that I will not vote for this amendment because that carries on the tinkering. But I would ask that we go back and look at it all seriously, not just this Fund but all sorts of other funds that we have got little bits and pieces running around. Let us get them all together - sort out what is still current and what is not current - and then actually put it to good use. That is the business we are in and let us hope we can get on with it. Thank you, Sir.

1.11.13 Senator F.H. Walker:

Like other speakers, I do appreciate very much the work that the Deputy of St. Ouen has put into this amendment. I understand exactly what he hoped to achieve by it. But I think it is very clear from the speech, particularly of Senator Le Sueur, that he has actually misunderstood and failed to recognise the awesome effects of the amendment he has proposed. Because the amendment will take up to £100 million out of our spending plans over the next 5 years; and that is a huge sum of money. A sum of money which the Council of Ministers wants to invest - as I said in my opening speech - in the core social needs of the Island, and to a small extent stimulating the economic growth we need to fund those core social needs of the Island. Where I think the Deputy has gone wrong is in the wording of 1.1.1 when he suggests that we should be bound for the next 5 years to the figures included in the 2006 Business Plan. Now, we are of course committed to those figures for the year 2006. But his amendment says we should be committed to them, and bound by them. "Shackled" was the word Deputy Ryan used. I think he is absolutely right: shackled by them for the next 5 years. If we are, then the agenda of the Council of Ministers to invest in the future of Jersey particularly the core social needs - and I will come on to housing separately - and the ability the States have to do that is lost. As Senator Le Sueur said this amendment - unwittingly I think but nevertheless it does - strikes absolutely at the heart of the vision that the Council of Ministers has for the future. Members are worried about prudence. I do not know who she is, but Members are worried about prudence in managing our finances. Now, I ask Members who has the best record of any of us in managing our financial affairs and our resources in a prudent manner? The answer has to be: Senator Le Sueur, without any question at all. **[Approbation]** And, yet Senator Le Sueur has said: "I know, I am convinced, that the Council of Ministers' plans are affordable within sensible limits of expenditure." That is what he said and he said: "I fully support the future investment, as envisaged in the plan, knowing that it keeps us within affordable sustainable financial limits." As he said, he is looking - as is the rest of the Council of Ministers - to strike a balance between prudent financial management on the one hand and investing in the needs of the Island on the other. That is a balance, which again - I think unwittingly - is destroyed by this amendment, completely destroyed by it. I was very pleased that Deputy Le Fondré referred to Senator Jeune's letter to the Editor of the *JEP* last week. Because my department did a little bit of research, and I think this is very revealing. Senator Jeune was President of the then Finance and Economics Committee through the last 6 years of the 1980s and in 1990. During that time expenditure increased on an annual basis by 11 per cent, 16 per cent, 12 per cent, 10 per cent, 14 per cent and 15 per cent. I have probably read out 6 but an average over a 5-year period of over 12 per cent, each and every year. Incidentally, the rate of increase in the population was also over double what it has been in the last 5 years. So, I think the Senator sadly is suffering from both a short and a selective memory. **[Laughter]** Members should not be too concerned about the comments he has made because I am

afraid they just do not stack up. Deputy Huet and, indeed, Deputy Southern want to know correctly if in the vision of the Council of Ministers, in the Plan the Council of Ministers have put forward, there is money for investment in social housing? Senator Le Main has said he wants an absolute assurance and a commitment. He has had it from the Council of Ministers, that if our Strategic Plan is accepted he will get it. I categorically say, included in the funding of the Plan, the figure laid before the House by the Council of Ministers is a very considerable sum of money - I think it is £7 million each year - to invest in the maintenance of our housing rented stock. It is unequivocally there. So, Deputy Huet, Deputy Southern, if you want that investment in our housing stock, you vote against this amendment; you vote with the Council of Ministers. I know it is difficult, Deputy Southern. You need to vote with the Council of Ministers. **[Laughter]** But you vote with the Council of Ministers on this amendment. To vote with the amendment means that you cannot guarantee - in any shape or form - that the money will be spent on the people you, quite rightly, wish to protect and the people the Council of Ministers wishes to protect. As Senator Le Main said, for years we have prevaricated and failed, basically, to invest in the maintenance of our rental housing stock. I think it is actually one of the bigger achievements to date of the Council of Ministers, that we have faced up to that issue and we have said: "Enough is most certainly enough." We have got to invest in the housing stock. That is one of the core social needs that we are suggesting should be funded by slightly increasing our spending limits over the next 5 years. It is that sort of initiative that the amendment would strike down. I leave it to Members to decide where they should vote. Sir, the amendment - as I think I have said and certainly Senator Le Sueur has said - does strike at the heart of the vision the Council of Ministers has laid before the States. It would be totally undeliverable if this amendment were accepted. Sir, I ask Members to weigh up their concerns - quite appropriate concerns - about financial grip and financial management, none of which is at risk, and their absolutely overwhelming desire, expressed by so many people, in so many speeches, in so many debates, over so many years, that overwhelming desire to look after the core social needs of our Island, be they housing, be they the elderly, be they those less well off. That is what the Council of Ministers want to do. That is who we want to support. It is those people who will suffer if this amendment is approved. So I strongly urge Members not to approve and to reject the amendment.

1.11.14 Senator B.E. Shenton:

Can I just ask for a bit of clarification, please? My understanding is that the Strategic Plan is a statement agreed in principle. Would it not then therefore be correct to say that nothing the plan is binding? **[Laughter]**

The Bailiff:

Well, I was going to say that the amendment of Deputy Duhamel, I think it was, was accepted by the Council of Ministers. Presumably, both Deputy Duhamel and the Council of Ministers know what "in principle" means. Perhaps I should ask ...

Senator B.E. Shenton:

My interpretation is that nothing in the plan today is binding.

The Bailiff:

I think that an "in principle" agreement means that the detail is certainly not binding. No.

1.11.15 Deputy G.W.J. de Faye:

I think it would be remiss of me not to warn members of particular implications that befall the department of Transport and Technical Services in the light of potential cut backs in future spending. Now, the Chief Minister indicated that in his view the effects of Deputy Reed's

amendment was to cut back spending by, roughly, £100 million. That may be correct; it may be an arguable figure. Nevertheless, if spending cut-backs occur - and this is again perhaps the warning of unintended consequences - they do impact on my department in a particularly unusual and unfortunate way. That is because most of what Transport and Technical Services does is regulated by legislation. In that respect, I am obliged by law to provide, for example, a sewerage system for the Island with all the appropriate drainage. I am obliged by law to ensure of appropriate waste disposal techniques and that means that if serious cut-backs are put into my forward planning budgets the areas in which they have to fall would be areas that I think Members might not expect and I am very sure Members would probably not want. For example, the early victims would be things like our comprehensive approach to recycling which would have to go pretty quickly. All the expectation we have about improving our roads, highways infrastructure: that would have to go, and bizarrely, and perhaps horribly, another early victim would be the entire bus service because the Department is not obliged by law to provide it. So, if we are looking at serious cutbacks they can impact in very unexpected ways. That is just a warning because it also applies of course to the potential in cutbacks and spending that the Corporate Services Panel may bring forward. But, as I say, I want Members to know that it may impact on certain departments in rather more dramatic ways than you might think. The other brief point that I want to make is really simply this; if you feel you wish to pursue the Deputy of St. Ouen's amendment, consider what it is that you are chucking out. Now, to a greater or lesser extent it seems to me that we are all part of a new experience of Ministerial government and one of the huge sell points, and I think one of the attractive features of Ministerial government was going to be its ability to be flexible, to make swift and efficient decision-making and I think if you look at what is currently in the Strategic Plan under 1.1 and then the following sub-sections, that seems to me to indicate the sort of flexible approach to government, to forward planning, that I think all States Members would wish to take part in. What worries me about the approach being put forward by the Deputy of St. Ouen is that it seems to me, albeit worthy, that it is rigorous; it is tying you down; it is ensuring that you are stuck with a decision you made previously with little room for manoeuvre and that, I think, is an aspect in the broad sense that Members should reflect very seriously upon. It is not simply "What are we going to gain by this amendment?" It may be that many of you feel that you wish to somehow use these strategies to rein in the Executive. I do not think that is necessarily in the interests of the States as a whole and I urge you very much to look at what 1.1 is; economic growth is sustained through improved productivity and there are a sensible series of measures there that I think, particularly if we look at 1.1.1 develop and implement existing and new strategies which will support the key drivers in the economy, and they are laid out. That is a sensible, reflective view of how the States should go forward as a whole but is not tying the States as a body down to previously agreed features and budgets and I think this is the key to how to approach this amendment. It is not so much what you will get, it is what you will lose by chucking out what is there already.

1.11.16 The Deputy of St. Ouen:

I just thought I had sat through a Business Plan debate and not a Strategic Plan debate, which is all about aspirations. That is the difference. Strategic Plan is not about allocation of resources, nothing to do with that - the Business Plan is. That is the moment in time when we decide collectively, as an Assembly, how to apportion the money. Quite rightly, quite properly, as stated - and properly stated I believe - in the amended Strategic Plan. Senator Le Sueur suggests that I am significantly reducing expenditure from your current position. Sorry, have I missed something? The proposition that we all agreed to - States Business Plan 2006 - which we are currently working with until the next States Business Plan 2007, quite clearly says and we agreed it: "to approve the total expense net revenue expenditure targets of £478 million in 2009 and £488 million in 2010, as set out in table 4.1." What have I said as one of the action points and as a point of reference in our Strategic Plan? That that is what we are going to follow. Quite rightly, until we get to debate, the annual Business Plan for 2007. Secondly, it also says that we have approved a recommended programme

of capital projects for 2006 and it goes on spelling out exactly what I have said in action point 1.1.2 which says, quite clearly, £39 million up to 2009, £43 million up to 2010 and 2011. That is where we are. Today is not about: “Oh, by the way we are now going to change it all” - sorry. The Minister has quite rightly said, and the new Public Finances Law says, no, you do not discuss it in the Strategic Plan – but in the Business Plan. That is in September. This is aspirations. This is the direction that we are going to tell our Council Ministers to follow. Good stewardship, yes, great. Economic growth, yes, I supported that. Are we seeing it? Well, surprisingly today, just at the point when we are talking about maybe we should not get too carried away here, magically £30 million appears. Well, I will tell you this, there are a few people out there who are going to be really happy. Forget about ‘20 means 20’, we do not need it any more. Forget about extra duty on boat fuel. What on earth are we doing? You want to tell those people out there who protested on Tuesday: “Yes, no problem now we have £30 million. We can balance the problems with pre-schools overnight. We can start paying for all of that.” That is what your £30 million is for. But of course we cannot say that. Why? Because we are not debating the Business Plan. We are still working with the existing Business Plan as highlighted in 2 of those action points that I am wanting to include in the Strategic Plan. Deputy Ferguson, thank you very much for your support. Deputy Le Fondré, again, thank you for your words. I hope you will listen carefully.

The Bailiff:

To the Chair please, Deputy.

Deputy J.G. Reed:

Sorry, Sir, I get a bit carried away. He is right to be concerned over levels of States expenditure, we all are. Equally it is the public that is driving it. He supports having the money before we spend it. Correct. How on earth can we rely on a sum of £45 million in 2008, which is in the financial forecast, when we are not even sure when we are going to introduce GST? If we delay it by 6 months that divides by half. Where is the Plan then? Do we spend money before we have it? No. He is also concerned about the introduction of new services. Yes. What have we told the general public? We will control our general expenditure but what we will not do is we will not reduce our services we are providing; we will be careful about is introducing new ones. That is all we are saying and that is what we highlighted and agreed, and will keep referring back to it in the Business Plan and why it is highlighted in here. It is the first point of reference. He says we should not take anything for granted. Exactly. So, I hope that he will think well and carefully before he dismisses my amendment. Deputy Huet, against the Dwelling Houses Loans Fund being used for revenue expenditure. Exactly right. Let us use it for social housing because that is what we can dictate to the Council of Ministers. This is what we can clearly say when in 1.1.3, put it into the capital. Let us then, at the Business Plan, when we allocate all capital, say: “Right, that capital goes to the housing.” There is no problem with this. None at all. Do not be conned by the Council of Ministers and its smoke and mirrors approach. Senator Ozouf, as I say, all of a sudden magics £30 million out of the air. Great. Well, I have a lot of ideas for it and it also includes spending the Dwelling Houses Loans Fund which equally the Council of Ministers has signed up to and promoted in its Strategic Plan. Thank you. Secondly, I would remind the Senator that it is not he or the Council of Ministers that decides how that £30 million is spent. It will be down to this States Assembly at the right moment in time. Constable Murphy is also concerned about the value of the Dwelling Houses Loans Fund. I have spent some time on housing and I am aware and I can confirm that it was thought that it could be used and obviously this has been confirmed by the Council of Ministers in its proposal within the Strategic Plan that it provided for us today. Deputy Scott Warren rightly is concerned about social issues that need to be addressed, including social housing stock. It is a disgrace, an absolute disgrace. If we had left the £50 million in the capital allocation instead of reducing it to £39 million we would have addressed that by now. But no, we chose instead to leave our tenants and to leave our social housing stock in a mess and spend the extra money on ongoing extra revenue. Is that prudent? I do not think so. Deputy Ryan, against the amendment. I would say

not to worry because for a start my amendment, as he believes it does affect perhaps the proposals in his amendment, I do not believe at all, totally different. This is saying where we start from and how we can maybe use some funds. Corporate Services Panel is suggesting how that might be managed. They are introducing elements of how we manage inflation. This is not an amendment about inflation. This is an amendment simply about where we are and what we are going to do. It is a declaration of fact, supported already by previous declarations that this Assembly has made. Deputy Southern, thank you very much. Concerned that I have missed the mark. Shot the dog. Maybe that is the smoke and mirrors I am getting from the Council of Ministers. Please listen to what I say. I believe I am, and I certainly am adamant that what I am speaking about is clear and precise. My report was equally clear and precise about my intentions. It was not to shackle this Assembly. It was not to hold people to a particular point in time. Otherwise, why on earth would I have put both in the existing priorities and top priorities what we need to do and where we organise to spend the money? I clearly stated there, Business Plan, Business Plan, Business Plan. That is where we decide. Do not tell me that I do not know what we need to do and what the law states. Senator Perchard, thank you very much. I really do believe that you are concerned about the way the States are spending their money and obviously you have declared so on many occasions and I expect your support. [Laughter] Deputy Fox, also concerned about picking-off pots of money and tinkering with the Plan. No, I am not tinkering with the Plan. I have agreed the Plan, last year's Business Plan. The time to organise our funding and everything else, September. Next year's Business Plan. This: hopes, aspirations, points of reference. Sorry, I am saying this is the Strategic Plan. Senator Walker suggests that I have failed to realise what I proposed. I do not think so. I really do not think so. I would suggest that he possibly has lost sight of the fact of what we are debating which is a Strategic Plan and not a Business Plan. There is no suggestion, again, that we are bound to the figures. It is a reference point as much as any other action points in this Plan are. Where we are at. Does it hold us to it? It is just a point in time. Suggests that money is there for social housing, great. Thank you, and well done. By the way, we have it here, the Dwelling Houses Loans Fund, but it will be capital. It will be capital. It will not be ongoing revenue if we agree to this. It is a separate debate we have again at the Business Plan. Cannot guarantee where money will be spent, yes. Business Plan. Suggest people will suffer, no. We will take that into consideration in September when we plan for next year. Deputy de Faye talks about cutbacks in future spending. We definitely know that the roads are poor. Our mains drains infrastructure, comments like "keep it to minimum standards". Thank you, no, I want mains drains in St. Ouen. Forget about the ex-Deputy of St. John. He told me: "If you can, keep it going" and I will. We have people in St. Ouen that dearly deserve mains drains, in this day and age - we are in the 21st Century. The roads, yes, this is the way: £32 million identified for the customers that are able to use it, to be put in the Capital Fund to add to the capital forecast figures that we have already agreed and approved and can be used for the roads, which we know are under-funded. So, what do I do in summing up? Thank you very much. I hope I have not taken too long, Sir. I really do believe that it is an opportunity that this States have. They have had an opportunity, I hasten to add, to consider an alternative proposal to the Council of Ministers' Plan and I would like to propose the amendment. Thank you.

The Bailiff:

I ask for Members who wish to vote, who are in the precinct, to return to their seats and I ask the Greffier to open the vote.

POUR:

Senator L. Norman
 Connétable of St. Mary
 Connétable of St. Peter
 Connétable of St. John
 Deputy R.C. Duhamel (S)

CONTRE:

Senator S. Syvret
 Senator F.H. Walker
 Senator W. Kinnard
 Senator T.A. Le Sueur
 Senator P.F. Routier

ABSTAIN:

Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen

Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Clement
Connétable of St. Helier
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy J.A. Le Fondre (L)
Deputy D.W. Mezbourian (L)
Deputy of Trinity
Deputy S. Power (B)
Deputy A.J.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

The Bailiff:

Now, we come to the next amendment which is in the name of the Corporate Services Scrutiny Panel and again Chairman, may we take this as read?

1.12 Deputy P.J.D. Ryan:

I am going to propose that we defer the debate on this amendment until tomorrow morning and I would like to give you the reasons why. This morning we were presented with an updated Business Plan version in a completely different format to that of the Strategic Plan. Now, naturally our Panel had only the Strategic Plan format to work with when we designed our proposal and so it was a little bit of a surprise to me to see today, of all days, this completely different format with new figures in a form that my initial reaction was - I have to be honest, I now know better, but at the time - I felt it was almost a deliberate attempt to confuse. I now know better, Sir, so I hasten to add that I do not think that any more and I am very pleased to see that the Council of Ministers has very quickly provided us - and 10 minutes ago I had a table in the same format as the Strategic Plan - with these new numbers on them. But also, I have just now received literally 2 minutes ago ... because I asked the Treasury to re-do our tables that are contained in our Scrutiny Report and to adjust them for these new figures. I have only just received them now, Sir. I need to study them and I am sure that other Members of the States would also like to study them overnight and at least that

would give us the time to look at them overnight and see what we are left with. So, I would like to propose that we delay until tomorrow morning before we debate this.

The Bailiff:

Deputy, the only difficulty I can see with that is that perhaps this may be much too optimistic, but in case we were to deal with all the other amendments this afternoon, **[Laughter]** we might be faced with a position where we were ready to debate the Plan. Perhaps we will wait to see what happens.

Deputy P.J.D. Ryan:

Well, I was going to suggest that perhaps we cross that bridge when we come to it, Sir, and so I will go ahead with the rest of the amendments.

Senator S. Syvret:

May I make an observation on that? This amendment is pivotal. If this amendment were to be carried, then frankly we are wasting our time with the rest of the amendments and indeed the rest of the Plan. The Plan dies if this amendment is carried and the Council of Ministers folds. This is what we are talking about and there is no point in messing around with this. If we are not going to debate it today and we are going to accede to the Deputy's request, then frankly we may as well adjourn now.

Deputy J.J. Huet:

Are we allowed to put a proposition that we do carry on with it?

The Bailiff:

I am just going to seek some guidance from the Greffier as to where exactly is the responsibility for deciding whether or not an amendment is dealt with in the proper order lies.

Deputy P.J.D. Ryan:

Sir, may I make one further point? What States Members and yourself may not be aware of is that I have received, as I say only 2 minutes ago, 3 more changed tables which are the 3 tables which are contained in our Scrutiny Panel's review. I do not think Members have those in front of them but I have, Sir.

The Bailiff:

Deputy, I just want to make it clear why I was consulting with the Greffier. If it had been my decision I would have acceded to your request and I would have allowed the debate on your amendment to take place tomorrow morning. What Standing Order 72 says is that: "Where there is more than one amending proposition these shall be moved in the order in which they relate to the text of the proposition they would amend." Now, it seems to me that what follows from that is that there is an obligation for the amendment to be moved in the order in which it relates to the text of the proposition. So, if the Assembly is going to accede to your request that particular Standing Order needs to be waived for the purpose of acceding to it. So, I think I need to ask you to move that Standing Order 70(2) be suspended so as to enable the Assembly to debate your Panel's amendment tomorrow morning.

Deputy P.J.D. Ryan:

In just this one instance. Just for the purposes of this one change?

The Bailiff:

Just for the purposes of this one change, yes.

Deputy P.J.D. Ryan:

I so move, Sir.

Senator S. Syvret:

Is it not a viable alternative suggestion simply to propose the adjournment? That way there is no need to suspend the Standing Order.

The Bailiff:

I think there is an amendment to suspend the Standing Order, Senator, and I must accept that proposition is in order, if it is seconded. Is it seconded? **[Seconded]** Therefore I must put that proposition to the vote. So, there will be an Appel.

Senator T.A. Le Sueur:

I think that Deputy Ryan may be feeling unfairly done by here. Having presented new figures this morning he did ask me if I could provide him with updated figures in support of the tables within the amendment which the Corporate Services Panel have lodged. I acceded to that request and as he says he has only recently received that information. It is up to Members to decide whether that updated information helps them to make a better informed decision on the proposals of the Corporate Services Scrutiny Panel, or whether it makes no difference. If that updated information makes no difference in the minds of Members then there is no point in delaying but if, as I think perhaps Members should be fully informed, then there is reason and merit in the Deputy's request. That is the basis of it and arises from the fact that we have an updated financial forecast which relates to a Strategic Plan which has not been reflected in the contents of that Panel's amendment.

The Bailiff:

Do you want to reply to that, Deputy?

Deputy P.J.D. Ryan:

No, Sir, that is fine. I would only like to say that I appreciate the swift work of the Treasury in providing these updated plans at zero notice.

The Bailiff:

Very well. The vote is for or against the proposition that Standing Order 70(2) be suspended to enable the amendment of the Scrutiny Panel to be debated tomorrow morning and not this afternoon. I will ask the Greffier to open the voting.

POUR:

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Martin
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)

CONTRE:

Senator S. Syvret
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Senator R.J. Le Main
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. John
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy C.J. Scott Warren (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of Trinity
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John

ABSTAIN:

Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A. Le Fondre (L)
Deputy D.W. Mezbourian (L)
Deputy S. Power (B)
Deputy A.J.H. Maclean (H)
Deputy I.J. Gorst (C)
Deputy of St. Mary

The Bailiff:

The result of that vote is that the debate on the amendment of the Corporate Services Panel will be deferred until tomorrow morning. We come then to amendments 21, 22 and 23, all of which are green amendments and I will assume, unless I hear to the contrary, that they may be taken as adopted on the proposition of the Council of Ministers. We come therefore to number 24, the sixth amendment in the name of Senator Shenton and I ask the Greffier to read that amendment.

The Greffier of the States:

“Except that, in Commitment 2, Outcome 2.2, after Action 2.2.4 insert the following action -2.2.5 Introduce in early 2007 a winter fuel payment, based on the UK system, for all pensioners resident in Jersey (SOC SEC).”

1.13 Senator B.E. Shenton:

I must admit we were moving so slowly towards this amendment that I wondered whether by the time we got here I would have a conflict of interest. If I can just go back to what we are actually debating, which is the Strategic Plan. The Strategic Plan, which is an aspirational document, a vision for the future, and a road map. What Senator Walker said in his opening statement, and you will have to excuse the bad grammar: “Not in any way that binds the States to any specific resource commitments. That will come later in the Business Plan.” The actual proposition is to introduce in early 2007 a winter fuel payment, based on the U.K. system, for all pensioners resident in Jersey. Now, what I said actually in my proposition is that it should be based on the U.K. system. It does not say it should be equivalent to, or have the same amounts of money, it should just be based on the U.K. system and in the report it goes on to say how it should be non-means tested with higher payments for people over 80. So, I was a little bit surprised, bearing in mind that the Council of Ministers does understand what a Strategic Plan is that it should come back to me and say: “We cannot support it because of the cost.” Well, I never actually said how much I wanted to pay the pensioners. This is just a vision document. If we took it to a ridiculous level and paid the pensioners £10 that would come to about £140,000 per year. Now, we could fund that simply by confiscating Senator Vibert’s passport. **[Laughter]** The other reason for not approving the amendment is - and I cannot quite understand their logic here - it says it only deals with pensioners: it does not deal with other people, but I mean to look after the pensioner, not look after everyone else. They say that the whole point of the Strategic Plan is: “Just an equitable society in which everyone living in Jersey has the opportunity to enjoy a good quality of life” and I think perhaps they should have added: “except pensioners” to that statement. I have no doubt, as soon as I sit down Senator Walker, Senator Le Sueur and Senator Ozouf will all leap up and say how we cannot afford to pay this money, even though no amount has actually been set, and how pensioners are very low on their priority. What I thought I would do - because I am representing the people and I have received a lot

of support for this from Age Concern and other people - I will read out excerpts from 2 letters that I did receive. One of them I did have to retype, simply because the writing was quite bad for me to read-out in the Chamber. Senator Le Main earlier went on about how we need money for States tenants and how the pensioners are going to freeze in the winter and so on and so forth but that is just the States tenants. I am talking about covering every pensioner here; the private residents as well as the States tenants. This gentleman wrote to me and he said: "I am not asking for anything for myself as I am better off than thousands of old people. My monthly income is just above the figure that does not allow me a free T.V. licence and also prevents me from going to the doctor as often as I should. I save up all my ailments and go to him with a list. I have not been to an optician for about 3 years and though I need a dentist, since I last visited the dentist must be 10 years. I have Economy 7 heating in my apartment which is good during the day but the evening is very slight so I sit with warm clothing on. I can't afford to switch on my electric fires. The winter months are long. I am telling you all this because it all adds up and I am careful but I feel for all those with a smaller income than me." Judging by his letter he would not come under the income support scheme but he will suffer from the rise in electricity prices and gas prices which continue to go up and maybe even worse next winter. The second letter I will read out: "Dear Senator, I have followed the debate in the media that a winter fuel allowance should be introduced to pensioners in Jersey. Reading the comments of the Minister it looks as though it will be unsuccessful [he obviously has a lot of faith in me] but people like myself, and I am not alone, you are fighting for natural justice on a material Island. No doubt you will receive the same well-rehearsed arguments by those Members who operate a 'Don't do as I do, but do as I say' policy. Those Members, many of them millionaires, will claim that it is wrong to pay an allowance to people over a certain income. They will conveniently forget that they claim income and expenses irrespective of their financial position. The privileged amongst your colleagues are also receiving travel and entertainment allowances which collectively run into millions. [I am just reading the letter] Perhaps you would like to press for an annual report to the public of the costs of the individual Member who travels to all parts of the world at the expense of people like myself. [I am not sure who he is referring to there]. Who am I? I am a Jersey resident in my 80s who served in the Armed Forces overseas and my income in the early years was 7 shillings per day. I do not get a full Jersey pension because I get a small income from the U.K. who recognise my contribution to our country. I worked for a small Jersey company who could not afford to have a pension scheme and like many others did not work for the States but made my own way. My wife and I raised our family and by sacrificing holidays we bought our own home. We worked on our home because we believed in doing something for our Island and now we are being punished for our thrift. The winter fuel allowance will help my wife and I because as you grow old you feel the cold and suffer from the indignity of becoming a second-class citizen. We have never had a States loan, a States house, an individual loan, or an index-linked pension. The moneylenders in the Chamber, as the law put it, will smugly judge and show their prudence by voting against it. Keep the elderly warm in winter and save our health costs and doctors bills. Give them T.V. licences and you provide them with entertainment in their own home. Force them to go and beg for that extra benefit and you destroy their dignity. Ask many of the women who have suffered the loss of their husbands are embarrassed to consider that they are suffering because their husband was too independent when he was alive. Mr. Shenton, please check out the large sums that have been spent on golden handshakes. Civil servants who have retired with good pensions and been re-employed by the same department. Find out how many years of service have been added to the pensions of some of the senior members of our administration. Thank you, Senator, for speaking out on social injustice. I have written it honestly for the first time in my life and feel quite ashamed for having to do so in my Island." What we are saying here is whether the Strategic Plan that we have, whether our vision includes looking after our elderly. Senator Ozouf, I am sure if he was in the Chamber - I was under the impression that he was going to come up and counter this argument - is going to be looking for £6 million to spend on old concrete. It is a pity he puts more care into old concrete than old people. Senator Le Sueur will say there is no money in the pot and yet he is willing to give hundreds of millions to civil servants to top up their pensions. What we are

actually debating here is just the principle of a winter fuel payment. It is not a specific amount. If the finances have been managed so badly that we cannot afford anything then the Council of Ministers will have to admit it. What I would like to say is I think we owe it to the people to help them because fuel costs are rising and inflation for the elderly is much higher than for everyone else. I put my proposition.

The Bailiff:

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

1.13.1 Senator P.F. Routier:

Firstly, I believe it is quite right of the Senator to come forward to remind Members that the elderly do need to have sufficient money to be able to keep themselves warm in the winter. It is a priority which I certainly have and I am sure my fellow Council of Ministers have. I believe that what is in the Strategic Plan and what we will be doing with the income support system will achieve that. We also currently have the Parishes who do help people with winter fuel bills and that is available right now. Of course I realise that there will be the call from some that say that it is all very well for those who will be protected by the income support system and the existing Parish welfare system. What about those people who have incomes above those means tested benefits? The States have shown in recent times, with for instance the T.V. licence, that they have not been prepared when we debated that to give a benefit to people who have sufficient amount of money to pay for their own T.V. licence I would imagine that the same sort of logic could apply to this benefit because this benefit, which is being proposed, if it is to mirror the similar sort of scheme which is in the U.K. does go to a lot of people who do not actually need this amount of money to keep themselves warm. They do have sufficient money amongst their own income. I realise the argument that pensioners in the U.K. do get ... as I say there is non means tested fuel allowance and also that the cost of living in Jersey is higher than in the U.K. If we just look at those comparisons of the benefits with the U.K., I will focus on solely the non means-tested benefits because I know it gets thrown back at us every time that people will say: "Well, we get other benefits here." If I just focus solely on the non means-tested benefits between Jersey and the U.K. because Age Concern and other campaigners would say that we should not take into consideration the other means-tested benefits which are around. So, just focusing on the non means-tested benefits. For instance in the U.K., the basic pension is £4,381, a T.V. licence is £125, the fuel allowance for under 80s is £200 and the Christmas bonus is £10. That total is £4,716 of non means-tested benefits. If you look in Jersey, the Jersey basic pension is £7,968. I will not include the T.V. licence because that is only for over 75s, and obviously fuel allowance does not exist at the present time. Our Christmas bonus is ...

Deputy J.A. Martin of St. Helier:

Just a point of clarification: are the figures you are quoting for Jersey a single pension or a married couple?

Senator P.F. Routier:

Single. A married couple is £15,000. So, the total amounts for those non means-tested benefits in Jersey are £8,050 as compared to the £4,716. What pensioners would also say to us is: "But in the U.K. we also get free doctors and free prescriptions." If we look at above average - say, going to the doctor once a month and getting 4 prescriptions a month. What that cost in Jersey would be to a pensioner. That would work out for those 12 visits to the doctor and 36 prescriptions, that is slightly above the average, but just looking at that example - that is another £375 that would come off the benefit in Jersey. So, the straight comparison between U.K. and Jersey, in the U.K. the non

means-tested benefit would be £4,716 and in Jersey £7,675. I will not include the option that people have to apply for the over 65s health plan which provides optical, chiropody and health benefits because it does have a cap so I will not include that one. So, a difference of £2,959 above the U.K. non means-tested benefits is more than what the cost of living difference is. There is quite a big gap there. I have not included the means-tested benefits because the pensioners would not want me to do that. We look now at what the U.K. are doing. They are having to rethink what they are doing with regard to their pensions. There has been a report recently which has highlighted how they have failed the pensioners by not increasing their pensions by earnings. All they have been doing is increasing their pensions a little bit and then giving fuel allowance and then giving free T.V. licences. But in Jersey we have done the opposite. We have increased their pensions all the way along to ensure that people are assisted. In Senator Shenton's report - if Members want to have a look at it, on page 4 - he quotes an organisation, the Alliance Trust. The Chief Executive, Alan Hardens, the second paragraph down in the report: "The Alliance Trust Chief Executive Alan Hardens said, 'Our new study focusing on how rising domestic energy prices hits the elderly harder than others shows that we have to be aware of the different financial pressures that face people in retirement.'" This is the important bit: "The effect of inflation should be part of the pensions debate, particularly at a time when the upcoming Turner Report will underline the serious choices facing the country if we are insufficiently prepared for the future'." I do not know if Members have studied the Turner Report but there are 2 main proposals; one is to increase the retirement age and the other one is to link the pensions to earnings because that is the only way to really protect people with their increased costs. Jersey, as you know, has been increasing the value of pensions by the earnings which overall has been above the cost of living figure for some time because we have already realised that pensions can be protected far better that way. Members are aware that heating costs are included within the cost of living. They are in there and the Alliance Trust study is only focusing on the over 75s so it will be interesting to see the statistics coming out of our own statistics unit next month - the household expenditure survey - which will help us to focus on those particular age groups and how people are being affected in these particular areas. So, I think when we have that real evidence from the statistics unit that will help us finalise our finalization of our income support system which will include a heating allowance. So, I am not sure really the Senator has used the Alliance Trust's study to help validate his proposal but I am not sure whether that Trust study actually does add a lot of weight to it. The Senator has been talking about the overview but there are financial and manpower implications and I do not think we should just gloss over them because obviously if it was to be focused on what the Jersey system is there will be implications with regard to the cost and it is all very well trying to belittle the amount. If we were offering £10 I do not think the pensioners would particularly be very happy with that so I think there has to be a realistic assumption that it will cost a fair amount of money. But besides that, certainly there will be administration costs with that but more importantly, I believe, if we were to focus our efforts on providing a winter fuel allowance the knock-on effect of the introduction of income support would be quite considerable. There is a problem with meeting our timescale for getting income support in place and if we have to refocus our efforts on introducing a winter fuel allowance outside of the income support, not only would there have to be work done with the I.T. systems and also preparing all the literature, we know how long it has taken to get T.V. licensing into place so there is an issue with the resource. We cannot just gloss over the fact that there will not be a considerable amount of money spent on it and there will not be a resource amount. So, quite simply, I believe this proposition, although it is well intentioned and we all want to ensure that people are able to keep warm, I do not believe that it is fair and equitable because what is being proposed that some of the money - if it mirrors the U.K. system - money will go to some people who actually do not need it which is not an appropriate use of our funds, especially if I was to be given an amount of money to use for distributing to people who are really in need. I am sure I could identify children and people with chronic illness and people with disabilities who could do a lot with that money rather than giving it to people who may not be in such a financial need.

Deputy R.G. Le Hérisier:

I wonder if I could ask the speaker for a couple of points of clarification. First of all, Sir, is he suggesting that in the low income support there is a notional amount for people who will need energy assistance? Secondly, Sir, has the computer system been designed? We know social security systems are very fickle all over the world, but has it been designed so that if necessary it could incorporate this particular benefit?

Senator P.F. Routier:

Firstly, the income support system will have a component which will cover the cost of heating. The I.T. system is not being designed currently to have a stand-alone winter fuel allowance. It is not like that. It would be a whole new re-write of where we are at so it would be a problem.

Deputy J.J. Huet:

May I ask the Minister a question as well? Is the transport allowance means-tested or not? I know we give one but I was not sure.

Senator P.F. Routier:

The disabled transport allowance will not exist in the new income support system. It is amongst all the benefits which are being replaced by the fresh income support system. I hope that helps. So, in recognition of the fact that money would not be going to people who really need it, the new income support system will support people with their heating costs to keep them warm during the winter. In view of the considerable technical problems with developing the infrastructure to pay this benefit and the delay in implementing income support, I urge Members to reject this amendment in the knowledge that there is no need for anybody to be cold. They will have sufficient money. There is absolutely no need for anybody to feel that they need to be cold. There are systems in place now, and there will be in the future, for people who need money to keep themselves warm.

1.13.2 Deputy C.J. Scott Warren:

I certainly do support this amendment for winter fuel payment for pensioners wholeheartedly and having heard the Minister for Social Security, I believe if the House signs-up to this amendment and we feel that there is sufficient provision in the low income support - enough that it will make a difference to elderly people who fear the bill arriving - then fine. As we say, we are not putting the money there now but I feel this amendment is worthy of support. Everybody knows, who visits a supermarket in Jersey and then happens to venture into a supermarket in the U.K. or even in France, that we cannot compare the pound here with the pound in England or Jersey. Therefore, with all due respect to the Minister for Social Security, when he quotes these allowance figures I think we have to treat all these amounts with extreme caution. We are living in a very expensive place. I would suggest that a winter fuel payment can actually save lives. Elderly people can suffer from hypothermia and they get to a point where they do not even feel the cold and they do not appreciate, therefore, that they are suffering from this serious health condition. Fuel costs, as I am sure we are going to hear from the Consumer Council Chairman more detail on; we already know, that these are set to escalate drastically and it is the worry about prospective bills that stops an elderly person putting on the radiator, or forces him or her to turn the heater off, for fear of the possible bill. I totally support the principle behind this amendment, despite the assurances and obviously the assurances given by the Minister are good to hear. There is one thing I think this House needs to remember, we are not the U.K. We are Jersey, which is an affluent community. Thank you, Sir.

1.13.3 Deputy C.F. Labey of Grouville

I wanted to ask, on a point of clarification, to the Minister for Employment and Social Security - it is a shame he has left the Chamber but with any luck he will hear in the precincts. I wanted some form of clarification that the new low income support scheme is going to be graduating so that for the pensioner that Senator Shenton mentioned, that there will not be a rigid cut-off point. Frankly, I would prefer to see more money go to pensioners that are really in need because with this particular amendment I do have a problem that we will be introducing this winter fuel for all pensioners resident in Jersey and if the low income support is on a graduated basis and those in need can benefit from a greater pension. I think that is the way to go. Thank you, Sir.

1.13.3 Deputy G.W.J. de Faye:

So far all the speeches have been very similar in this context. Of course no one wants to see anyone go cold in the winter but I have to say to Senator Shenton, through the Chair, that that would be the correct aspirational element to put into the Strategic Plan. The amendment before us is very, very specific. It is as specific as saying something like, everybody over the age of 80 should be provided with a free walking stick. I would very much like to hear more about what the U.K. system is but I hear from the Minister for Social Services that it is pretty much a broad-based system. In other words, it hands out the money fairly regardless of any means-testing and I think that is just not a safe principle on which to hand-out welfare. I think that it is not right to hand money to people who do not need it and whilst I am all in favour of raising a means-bar to a certain level and having it taper-off over an element, rather than having a bar to ensure it works as fairly as possible, I think it is simply wrong to have across the board handouts. Now, I also think it is wrong that anyone should suffer and be cold at Christmas time or whenever we are talking about but of course there are a number of reasons why people may be cold and one of the reasons is that their homes may be very poorly insulated and it is then absolutely pointless to give people who live in poorly insulated homes large amounts of money to keep burning away so that they heat the air around their house. It is a pointless and uneconomic and wasteful exercise. Therefore, the aspiration that people should not be cold in winter is the right one. How you get there can be achieved by a number of different mechanisms. I would hope that Senator Cohen would take on board the principle when he comes to have a look at his rules for how you build houses and what the minimum levels of insulation should be in all future developments to ensure that all the homes in our Island are properly insulated. But it is, I have to say, a pretty pointless exercise to keep pouring heat into poorly insulated homes and that is where we need to do something about it. Therein lies the problem with this particular amendment. It is far too specific to be in a Strategic Plan. It is in many ways limiting and I think it has a level of uncertainty about it which means that I am concerned in handing out money to people who simply do not need it. I would far rather that in fact we had a more inspirational and aspirational amendment to deal with. This is the sort of policy that I would expect to be drilled-down within a strategy and I am presently reassured by the words that we have had from the Minister for Social Security who says that, yes, an element of fuel allowance will be built into the new low income support grant and, yes, we know that the Constables have within their discretionary welfare, powers to ensure that as of now there is no need for people to suffer hardship in the winter. The only thing that I am sorry about that did move me in the letter that was read out by Senator Shenton is this reluctance of people who have every entitlement to assistance from this Island - either from the States or the Parishes - to come forward and take what they deserve and if we need to follow some public relations exercise to get over this reluctance to have monies when you need them, then we should pursue that course.

1.13.4 Deputy J.B. Fox:

I think this proposition has every good intent but I cannot go back to the old days when everybody gets something regardless, because money has to be well spent nowadays; but we have to have the safeguards as so many speakers have said. I think one of the problems is in the letter itself. It

identifies that we are not getting, as the previous speaker has just said ... I would much prefer to have heard the Senator tell me that he knows the person who has made the letter but does not want the information to be put to identify him. I can understand that, but when it is anonymous it could be from anybody and I have had experience of that over the years in my previous life. I will be quite honest, the assurances that this House will have in the Business Plan and with the subsequent low income support will have to be that there is protection for our less able people and our less well-off people. That is the way forward. If there is information out there that says this is not sufficient then this is what we need to find out; for people to tell us so we can get on and do something about it. Bring it to the attention of the Social Security Minister, the Treasury Minister and the States. That is the way forward, as I see it; not just giving out money to everybody whether they deserve it - or need it - or not. Yes, I agree it is not one thing that is a solution to a problem in the main. It is usually several things. Insulation of houses et cetera or more efficient appliances can often provide part of the solution, which is important. Thank you, Sir.

1.13.5 Senator M.E. Vibert:

I must admit, Sir, if I had closed my eyes - as I was very tempted to do on a number of occasions during Senator Shenton's speech - I felt I could have been transported back in time to this States Chamber of a few years ago. Like his father, Sir, a very passionate speaker and well-intentioned, I believe. I only wish that the wording of the proposition matched those intentions, but as Deputy Fox said as well, it does not in any way. If I had a disappointment it was with Senator Shenton trying to almost suggest to the States that we just pay lip service to his proposition because it is in principle the Strategic Plan. So, if we say introduce in early 2007 a winter fuel payment based on the U.K. system for all pensioners resident in Jersey, we do not really mean it; we do not have to accept it because it is only in principle. I am afraid that I cannot live with that. I think that is hypocritical. If Members vote that we should accept this amendment to the Strategic Plan, which I sincerely hope they do not, I think we have to take it seriously. It is under a heading for the Council of Ministers, what we will do and what Senator Shenton, despite his speech, what his amendment wants us to do, is introduce in early 2007, so not far away, a winter fuel payment based on the U.K. system for all pensioners resident in Jersey. It doesn't matter ... I know, I think we would exclude you, Senator Le Main. No, including everyone, including Senator Le Main, including everyone, regardless of their need and again I am sorry I cannot support the idea that it is alright, we will give them £10 each and we have kept our commitment. That is wrong. If States Members approve this it has to be taken seriously. I think it would be totally wrong. I think we would be wasting money that we should be using for those in need by giving it to people who are not in need and I cannot support that, particularly as it would be based on the U.K. system. Deputy Scott Warren stressed we are not the U.K. but this says: "Based on the U.K. system" and I agree with her, we are not the U.K. So if we are going to be doing anything we should be looking at a system designed for Jersey, not for the U.K. and the Jersey way is to give help and need where it is due. I previously tried to get free T.V. licences for all pensioners over 75 and the reason I wanted it for all was I did not want the bureaucracy costs of trying to deal with the few that may apply. States Members pulled me up, quite rightly, and I came back with a system and proposed a system that it would only go to those in need and that is what States Members approved and I think States Members, in this case, should show their consistency and only approve things where it goes to those in need. Members may be surprised that I will not be trying to return Senator Shenton's cheap jibe to me. I hope I took on board, Sir, the wise words of the previous Lieutenant Governor as he was retiring, that we should be above those sort of things in the States from now on. I think we should be a grown up Assembly. I think we should not just pander to something that sounds good. We should think it through and if it does not make sense, however nice it might seem, however good headline it might make in the *J.E.P.*, Sir, I believe we should show that we support those in need and we are not just going to give funds to those who do not need it to look good, Sir. I urge Members to oppose the amendment.

1.13.6 Senator J.L. Perchard:

I would like to ask Members if they have ever been to a wedding on a windy day with a handful of confetti and hoping to hit the bride and groom with some of it because that is really what this amendment is about. We are throwing a handful of confetti into the air, hoping some will land in the right place. Whilst it is terribly well-intentioned and I certainly will endorse all the principles that have been expounded during this debate on the need to support those that need financial help, we cannot take this approach of catch the few by covering them all. I would rather spend double or treble on those in need and that is why I will be watching and I will be supporting Senator Shenton as we watch very carefully the introduction of the income support scheme to ensure that nobody slips through the net and that people in need receive what they deserve and those - and there are many very wealthy above pensionable age on the Island - do not receive these discretionary payments.

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

Many senior citizens have been hit particularly hard this winter. I have had letters from parishioners who have had many problems paying bills, with oil, coal, gas and electricity all going up. I have many constituents who are senior citizens and I have visited many of them. Let us not forget that many senior citizens are on medication for one reason or other to thin the blood which gives the opposite effect. They feel the cold very badly and this is long overdue and I will be supporting this amendment. Thank you, Sir.

1.13.8 Senator P.F.C. Ozouf:

First of all, Sir, the U.K. system is for people over the age of 60 and, according to Standing Orders, anybody over the age of 60 would have to declare an interest I think. I know Senator Shenton does not actually want us to look at the detail of his proposition but he is saying a winter fuel payment, based on the U.K. system, and the U.K. system - thanks to his very helpful paper - is over 60. So, the first thing is there should be some declarations of interest I think, Sir, if we are going ...[Aside]

That is a matter for Members, Sir. I am just being a bit niggly. But it does say: "over 60" and it does say: "the U.K. system". Senator Shenton should not escape the fact, when he sums up, that that is what we are being asked to agree and he tried to slip out of it. Other Members have reminded him, and no matter what he says it says: "U.K. system" and that is universal and over 60 and that is the reason some of us are not supporting this. Just on a couple of wider points, I also would not want Senator Shenton, or the public, or any other Members to think that the Council of Ministers does not care about energy policy because we do and that is the reason why we have set up an energy steering review group which consists of a number of Ministers. We are wanting to look at the supply of energy in the Island. We are wanting to look at the sustainable, competitive supply of all energies into the Island. Coal: yes, there is a problem. Gas: it is very expensive - to Deputy Lewis. Oil: et cetera surprisingly not that expensive compared to some other petrol products et cetera The J.E.C. (Jersey Electricity Company Limited) well the J.E.C.'s electricity prices are, just on a cursory examination, about 15 per cent less than Guernsey. Interesting that point. But there is work to be done on the whole issue of competitiveness of energy prices and Economic Development is going to be reviewing the 1937 Electricity Law to bring in proper independent price regulation for the J.E.C. because the real point is that high energy costs are not only an issue for people over the age of 60, or pensioners. They are an issue for all members of society; all members of society perhaps on lower incomes and that is why it is important. Perhaps Senator Shenton should be congratulating the Council of Ministers for the first time in grappling this issue of competitiveness of our energy markets and being prepared to do something about it and congratulating on the issue of getting the supply and competitiveness of energy in the future. I

would say one final thing, which is what Deputy de Faye mentioned. There is one other scheme available in the U.K. in respect of energy issues, and that is the issue of grants for insulation because that is something potentially that we should be looking into and there have been emails circulating amongst the Council of Ministers on this very issue. That is something that has been brought to our attention and something that we should be potentially looking at. On the overall issue, we cannot support his amendment but does that mean we do not care about the cost of energy? Absolutely not.

1.13.9 Deputy P.N. Troy:

The Minister quite clearly demonstrated that on a like-for-like basis a pensioner in Jersey receives 62 per cent more than their counterpart in the U.K. Senator Vibert is quite right to point out that a similar argument applies to this type of benefit, if introduced and available to all regardless of income, as it did to the television licence debate last year. It does not make sense to introduce a benefit which goes right across the board and is available to all regardless of income. In answer to Deputy Labey, the income support scheme will have various components available to persons on low incomes depending on their type of family unit. The concept is to provide a basic living allowance to those on low incomes. A single mother, for example, whose income is below the living allowance, would be able to apply for a top-up to come up to the living allowance level. The same applies for pensioners or disabled or any member of society who is on a low-income level. People on low incomes will be protected if a qualifying resident of Jersey. Senator Routier said that we are currently collating information now to enable us to set the criteria for the income support scheme. Do reject this amendment and do allow us at Social Security to devise the income support scheme and bring it forward for implementation next May. It is not that far away and we will be bringing it forward. This amendment should be rejected.

The Bailiff:

Could I just respond to the point made by Senator Ozouf? I do not know whether it was a serious point, but I think it was a serious point in relation to interest. Standing Order 106 says that any Member of the States who has an interest in the subject matter of a proposition must, if it is not a direct financial interest but a financial interest which is general, indirect or shared with a large class of persons, declare the interest. I am sure that the Senator would not want to embarrass any of the female Members of the Assembly by having to declare an interest in this particular matter, but if Members are content I think the Greffier, who is aware of these things, will record the interest of every person as a declaration strictly in terms of the proposition. I declare my own interest, too, sadly. [Laughter]

1.13.10 Deputy G.P. Southern:

[Aside] Senator Shenton is sitting there looking singularly unimpressed by the arguments being raised and marshalled against him, and quite right he is, too, to be so unimpressed. If I could give him a word of advice, I would say get used to it. I have been listening to those arguments for the last 4 years. They do not change much. The classic is - and I cannot believe I have heard it 3 times today - the equivalent of "trust me, I am a politician." I wish I could. The fact is if you bring a proposition saying we should give some money to everybody in this particular group because they have a need, i.e. a need to be warm, you are told: "Oh, we cannot do that. We would give some of it to the wrong people." Nobody looks at the actual figures and says - and I must remember to keep carrying my income distribution survey 2002 around with me at all times because I can only quote from memory - 68 per cent of pensioner households are in the bottom 2 quintiles of income distribution. Yes, you do get a bit of scatter to some relatively well-off pensioners, but you are getting 7 in 10 who are in the bottom 2 quintiles. That is the fact. It may not be entirely accurate,

but you are getting most people who have this need and that is the important thing. Of course, the argument is then that if you do this, what is called a scattergun approach or throwing confetti as Senator Perchard will have it, of course that is wrong, we cannot possibly do that, it is inefficient. The minute you come along and say: "Oh, yes, let us means test it" you get the other argument which is: "Oh, that is at least 3 clerks and time and a computer programme to sort this out. We could not possibly do that: too labour intensive. It is expensive to do it that way." So, whichever you come with you are going to get the same old lame arguments that we could not do that, and it is basically we do not want to spend the money. That is the key: we do not want to spend the money. But the argument is not: "We could not possibly say we do not want to spend the money on pensioners because that is political suicide", so it is: "Oh, no, you have chosen the wrong method." It is always the same. It is always the same. The other piece of information which was usefully supplied by Senator Shenton is, of course, ignored: about the relative difference between inflation rates for pensioners and for others. We abandoned some time ago - about 6 years ago, I think - the shopping basket for pensioners. We used to examine very carefully the relative effects of inflation on pensioners and others. The evidence in Senator Shenton's paper suggests that once again interest has been raised and information is coming to bear that inflation has a greater impact on older households - on pensioners - than it does on the average. That is the case that has been going on since time immemorial. We have had some very high inflation rates in the past which have not entirely been catered for by the linkage which we do have to the average earnings rather than R.P.I. (Retail Price Index). Then we are pointed in different directions by other Ministers. The Minister for Transport and Technical Services says what we should do is insulate the homes. The Minister for Economic Development agrees wholeheartedly and quotes back at this side of the Chamber a J.D.A. (Jersey Democratic Alliance) policy in its manifesto that we should give grants to insulate people's homes for which, once again, I thank him and am pleased to see it is being taken up and is now being discussed at Ministerial level. Well done. But it then says what we ought to be doing is bringing down fuel prices. In fact, they are not going up by as much as we thought they were and yet I have a headline here in front of me saying clearly from the Statistics Department there is a big shift from oil as heating costs soar. Yet we are told by the Minister ...

Senator P.F.C. Ozouf:

I did not say anything of the sort in relation to anything to do with electricity and oil switching. I said nothing of the sort. I was remarking on the comparative price of electricity prices in Guernsey versus Jersey and the cost comparativeness of oil versus Jersey and the U.K.

Deputy G.P. Southern:

Nonetheless, the price of oil [**Laughter**] has gone up substantially and since last year there is already noted a switch away from oil, and increasingly as this latest hike has gone on undoubtedly that will continue and accelerate. Evidence is there that households - pensioners in particular - are having difficulty paying for their heating costs. I for one will be supporting this in principle amendment and I encourage all Members of the House to do likewise.

1.13.11 Deputy J.A. Martin:

I, too, will be supporting this. [**Aside**] My reason is I do feel that maybe there will be a few people that would receive the money who do not need to, but again this is in principle. I take exception with the Minister for Transport who says Senator Shenton has put too much information in this. The strategic document is just a vision. If maybe he had gone to the Council of Ministers and asked for a bullet point to investigate a winter fuel allowance, he probably would have got that. In fact, with all the words in his document, this is actually all he is asking for. I am hoping there is going to be a split in the Ministers' vote at the end of this because I am sure from the speech earlier from the Minister for Housing ... who stated he has 2,000 pensioners already on the breadline living in substandard accommodation, not wind or watertight, obviously losing a lot of heat, would you not

say? He shakes his head. Maybe they are not suffering now, Sir. You cannot use one argument for one and then deny it 2 or 3 minutes later. In an article a few weeks ago, the Housing Minister said they cannot now subsidise any more States housing fuel, or they will subsidise it by a lot less. Perfectly understandable, they have to balance their books, but that is another cost. Our Panel is working very closely with Social Security on the low income support but, believe me, it will not be the answer to everything. Quoting figures for a living component when we passed this in 2005, for a single person it is £147 a week. That is 10 per cent on top of what welfare give now, I admit, and £50 for a child. That does include a heating component. It includes a dental check-up. It includes an eye check-up. That is without food and everything else. It does not include housing costs, so these people - and there will be quite a few are not going to have a great deal of money when you consider the costs of their heating is rising. So, I am supporting this. I probably would agree that it would have to be means-tested, but again ...**[Interruption]** they are all shaking their heads, Sir. They missed my opening comment. If we do not support this, it disappears. If we support this in principle, as I say, albeit it is a vision in their strategic document as a bullet point - something to aim for - when the Business Plan comes out you can show us why we cannot afford it. Because I would not know where to take the money from at the moment if I did have to cost it or was in exactly the same position as Senator Shenton was in. As I say, I will support this and I look forward to seeing the Business Plan and I really cannot understand why, if it is in principle, the Ministers are absolutely against this. There was just one other thing to mention. They talked about the “rich pensioner.” As the Minister for Social Security will know, you might see the rich pensioner or supposedly rich pensioner who by the time that they are 65 or 70 have purchased their own house, but they have a very small pension. That is what they call - and I agree - asset rich/cash poor. They do not have the money to keep their houses warm. The only place I differ with Senator Routier is they are not now getting the money for welfare because they are too proud to go and ask for it. They will get it hopefully if their income is lower than the £147 per week for a single person, albeit at the 2005 rate.

1.13.12 Senator T.J. Le Main:

I would like to take up the point of the previous speaker when I mentioned, quite rightly, that we have 2,000 pensioners on basic pensions in the Island. I also have to declare that I am a trustee of Age Concern, so I do have a great care and understanding of the needs of elderly people. On a monthly basis I meet many elderly residents at Communicare and at Age Concern. I understand where they are coming from. I understand their needs. At the end of the day, I am afraid that I cannot support this proposition because I feel very much like other Members in that over the last few years we continue to have Members coming to this Assembly to make proposals on the back of a packet of fags. No, it is on the back. It is not costed; there is nothing in there that gives me any comfort that we are targeting or will be targeting the people that need assistance. It is quite clear that when the low income scheme comes to this Assembly, if we believe that it is going to be missing out certain people in this Island then we all have a duty to put amendments in, to debate it in this House, and if there are any glaring omissions then I am sure they will be added on and placed into the low income scheme. But coming forward, I think back to years ago when we put in the mobility allowance. Everybody gets it, even people residing in residential homes that never move. We are spending something like £7 million or £8 million. It is ridiculous and I want to target the people that need assistance. I do understand Senator Shenton saying about those just above the HIE (Health Insurance Exception) limit. I think that is a real issue with people just about HIE limit and it is something that I hope that Senator Routier will address when he is putting in his low income scheme. **[Interruption]** Anyway, I will not be supporting this proposal. I think it is badly targeted. It is a bad amendment and when we get the low income scheme before this Assembly, I want every Member to really look at it, to really look at what the issues are in regard to low income and to people with difficulties. That is the time to put into place a proper scheme which will assist people in need.

1.13.13 Deputy A. Breckon of St. Saviour:

When the Minister for Employment and Social Security was speaking, I had done some boxes and when he made the excuses I was ticking them off because I knew exactly what they were going to be. Some other Members have latched on to that as well, and it is about some people who may get this who do not need it. What the Minister for Employment and Social Security also did was quote some numbers and then make a comparison that was backed up by the Assistant Minister, who said that Jersey pensioners get 62 per cent more. What nobody has said is that many pensioners in the U.K. do not pay medical bills. They get free prescriptions. They get free dental care in many instances. They get free optical and foot care. **[Interruption]** They get them as of right. It is okay quoting headline figures, but it is where that money goes. We have heard from the letter that Senator Shenton quoted about somebody's problems with medical and dental and optical care. Also, some pensioners in the U.K. do not pay very much in rent if they live in local authorities or trusts and pay what is, in effect, a peppercorn rent because they see it as a futile exercise giving people money and taking it off them, so they do not pay much in rent. Deputy Scott Warren also mentioned about what was, in effect, the pound in your pocket. One thing we have never managed to do here with statistics - we have lots of them and we are producing more of them all the time - is pound price parity, what a pound buys, and that is really significant. For some pensioners, of course, the base costs can be fairly expensive: things like groceries, clothing, furniture, electrical. Then you come on to energy costs and people are not going to beg for whatever it is. We did have a system of a winter fuel allowance. People will remember Communicare phoning up and taking out logs and firewood and blankets and flasks and things like that. I think we need to move on from that, and that is not many years ago. There were also complicated systems where it had to be so many degrees below freezing for so many days before people qualified, and then there were arguments about whether it was 3 days or 4 days and whether the thermometer had gone up. What has proved beneficial and I know is appreciated in the U.K. is that this is given without having to go cap in hand and beg, and if a few people get it that do not need it, then I for one can live with that. Energy costs are rising; we all know that. There was a report produced yesterday and that is alarming. I must confess I have not seen it and read it in any detail. These are basic costs for many people, and many pensioners, of course, are on fixed incomes. Deputy de Faye, who is disappearing into the noonday sun, mentioned coal and it being for Christmas, but coal is not just for Christmas. It is a thing where if people are not moving about very much, then they will feel the cold perhaps more than those of us who are younger and more mobile. Draughty homes have been mentioned as well and burning heat, and I know exactly what Senator Le Main means when he says that. We do not want to waste the money, but it is being mentioned now about giving home improvement or insulation grants to do this sort of thing, for things like cavity and wall and loft insulation, pipe and tank lining and perhaps even solar panels. But if you give people some money they can do that themselves. It is a heating allowance, but they could target it to that if they needed to insulate the loft or lag some pipes because that, in effect, will make their living situation better. The other thing we have here is the hobbyhorse that has run around the Chamber as well of low income support. I was on the former Social Security Committee, and low income support will not cure everything. There are people who are going to be outside the scheme and, again, if you are one side of the line you are okay and if you are the other side then you are not. Sometimes, for the sake of £3 or £4, people are a lot worse off. I know that sounds silly, but for getting £3 or £4 more they miss out on lots of things. We have to draw the line somewhere, but I think perhaps we need to have a curve to that rather than a straight-line cut-off. In conclusion, I would say that I can support this in principle if it then comes back with costings and things that are beyond it. Then it can be within the system, but I think if we reject it now then it is sending out the wrong message. Many older people are proud. Senator Shenton quoted from a couple of letters, but in the main people will suffer in silence. They will not be banging on anybody's door and I think if this has a cost on it and it gives comfort and the other benefits mentioned about people's health and well-being, if it does help in

that way and people got some money in October or November, they can then plan for their heating for the winter, for higher bills. I will say that the utility companies are accommodating if people have difficulty paying; they will factor that in. Again, I think people should not have to beg for that, and I for one can support this amendment and I would ask others to do the same.

1.13.14 Deputy G.C.L. Baudains:

Yes, I fully endorse the comments of the previous speaker. He covered quite a few of the points that I had been thinking about during this particular debate. Coming at it from a slightly different point of view, I am always intrigued to hear from the Ministers and their chums how they care about the elderly and the less well off but unfortunately cannot do anything about it except, in my view, make the divide between the well off and the less well off wider with their strategic vision for the future. I am tired of hearing that this or that cannot be supported because, well, we would but it is not means-tested. As Deputy Breckon has said, there are a lot of factors which do not seem to be taken into account by that means tested mentality. The elderly people spend a lot on medical care, a lot more than an average person would: doctors' bills, medicines, et cetera. It easily costs £20 a week on average, I would have thought; some people obviously slightly less, some people an awful lot more. Elderly people, probably most of us will not realise, do require warmer surroundings. Their circulation is not as good as it used to be. They move around less so they do feel the cold throughout the year. Even in weather like we have today some will feel cold. Fuel costs in Jersey are disproportionately high. We have been wondering why fuel costs in Jersey are high for so long and yet funnily enough we have had this and that research into it but we do not seem to be able to track how it is that fuel costs are approximately twice what can be found at other places in the United Kingdom. Quite why those fuel prices are there I do not know. I hope one day we will. The other thing is presumably a fuel allowance would be set at a set figure and thereby attain a degree of self-regulation. Because for a person or a couple living in modest habitation this amount X would probably form a reasonable proportion of their heating bills. Whereas if you have a person that is pretty well off and obviously living in a larger house, that fuel allowance would become an insignificant proportion of their overall fuel bill. In a way, it does itself regulate in its effect. So, the effect of a fuel allowance would automatically favour the less well off. As I said when I started, I am getting tired of hearing how we can avoid helping those in need on the one hand, but on the other we do not seem to have a problem when it comes to spending large amounts on ill-conceived schemes. It appears to me, Sir, that the words "but" and "however" are becoming an integral part of Executive-speak. I want to stop finding excuses why we cannot do things that are of great importance to members of our community and do something that is needed. It is not as if it would cost an absolute fortune. We have heard about the low income support. This is the panacea for everything. I have my doubts that it will cater for the present situation. How it is supposed to incorporate new ideas such as a fuel allowance I simply do not know. As I say, I have a fear that it will not even accommodate the welfare and benefit system adequately in its present form. The amendment is a matter of adding this to the aspiration in the Strategic Plan. We have heard from the Minister for Housing and from others how we will not be able to afford this, cannot afford that, and it is going to be expensive. I was not aware that any details had been worked out yet, Sir. I thought it was an aspiration which would have the details worked out at a later stage. I really cannot see the problem with putting this in a Strategic Plan.

1.13.15 Senator T.A. Le Sueur:

Despite being over 60, I will not be one of those supporting this amendment. Members may recall that several years ago now I used to be the President of Employment and Social Security. In the mid-1990s we conducted a comprehensive review of the benefit system under the heading "Continuity and Change" and went out to discuss with the public their key aims and ambitions in respect of the future of the benefit system. Far and away their most important requirement was to

have a decent, sustainable, guaranteed old-age pension. They wanted that security for the future without having to rely on any other benefit system. The benefit system should be there in addition to help those who for some reason or another had particular needs. I think we need to go back to the principles under which the Jersey pension system has been applied over the years and compare it with the U.K. The Jersey system really only came into effect after the Second World War and we started off with a pension level which was not significantly different, a little bit higher than the U.K. but not greatly so. Jersey over the years has chosen a policy of indexing its pensions by the earnings index, whereas the U.K. has followed a policy of indexing their pensions by cost of living. We have seen the effect of that in the current relative significant imbalance between a Jersey pension and a U.K. pension. I think successive U.K. governments have felt a little bit guilty about this but have not had either the will or the money or some other reason to change their basic principles, to change their strategy. Instead, they have come up with panaceas here, there and everywhere to mollify pensioners who, frankly, have been badly treated in the UK. They have come up with devices such as a winter fuel allowance which papers over the cracks but does not solve the problem. I think Jersey has adopted the correct approach of indexing its pensions in a way in which pensioners follow in step with the wage earners in the Island, and as those wages and earnings increase so do the benefits to pensioners. I think when we start talking about a winter fuel benefit and comparing with the U.K., we have to acknowledge the fact that the U.K. really brought in a winter fuel system not so much out of compassion for pensioners as an acknowledgement of the fact that their pension system was woefully inadequate. Our pension system is not woefully inadequate and the same arguments do not apply in respect of pensioners in Jersey. Yes, there will be people who have particular needs and, yes, for those people we need to find solutions. There is an inference that the Strategic Plan ignores these people. It does not. It mentions them and looks after their needs and spells that out quite categorically. The way to do that is not by simply having a winter fuel payment across the board for everybody. That is the wrong and U.K. solution which we should not be following. We have adopted better principles in the past; we should continue to adopt and deliver better principles in the future. A strategy of following this one would be a strategy going completely in the wrong direction and I urge Members not to follow it.

The Bailiff:

I call upon Senator Shenton to reply.

1.13.16 Senator B.E. Shenton:

Many of the arguments that I expected reared their ugly heads during the debate. Senator Routier mentioned about means testing. The only trouble with means testing is that it can be ineffective at getting help to those who need it most because of a low take-up level. It can also be very demeaning for the older people who have to parade their poverty in order to receive just a few extra pounds. I did quite a bit of work on this proposition and the hardest hit, as it says in my paper, tend to be the over-75s, the vast majority of whom are women who have spent years bringing up families, caring or working in badly paid or part-time jobs and whose efforts have been historically undervalued. I think Senator Routier must read his newspapers from the back page, as some of us used to, because he conveniently mentions during the report how the pensions should be linked to inflation but then forgets to mention that on page 3 inflation for pension is running 35 per cent higher than inflation for the rest of the population. Senator Le Sueur also mentioned the fact that pensions were indexed but again failed to mention that it is indexed to the standard inflation rate and failed to mention that oil prices went up 20 per cent in the past 12 months. Senator Routier also mentioned that the pensioner could go cap in hand to the Parish and ask for a winter fuel payment if they were short of a few funds. Well, I would just like to remind Senator Routier that this is 2006, not 1886, and it is time that we put in place a system that is relevant to this period. I would like to thank Deputy Scott Warren for speaking in favour. I did not quite understand Deputy de Faye, although I was quite pleased he did not go into one of his after dinner speeches. It is not welfare,

Deputy de Faye, it is just giving something back: giving something back to the people who built this Island. He mentioned about people living in poorly insulated houses and how it is not worth giving them money. The inference there was that they should either be allowed to freeze or that Senator Cohen would come along and give them a new house. I could not quite work that one out. Deputy Fox mentioned the fact that one of the letters was anonymous. Can I just say that there are a lot of pensioners in similar positions. There are a lot of pensioners out there who find it very tough to survive. They are above the income support level. They will be above the income support level when it comes in, but they are still going to find it tough. Senator Vibert spoke, and it was nice to see him in the Chamber. He is not here at the moment. **[Laughter]** Senator Ozouf admitted that coal and gas was very expensive, and I was glad of the support from Deputy Southern and Deputy Martin. I cannot remember whether Senator Le Main said he was a member of Age Concern or a trustee of Age Concern. Age Concern fully supports this proposition and believes that it is warranted. I think a Strategic Plan where you have a vision for looking after your pensioners has to include this. I am grateful for Deputy Breckon's and Deputy Baudains' support. I listened to Senator Le Sueur and the only thing I could think of while he was speaking was that we are meant to be finding a Jersey anthem and I wondered whether "Taxman" by The Beatles might not be quite prudent. At the end of the day, this is a strategic document. It is a vision and an aspirational document. It does not commit you to any amount; it just commits you to the principle of paying our pensioners a winter fuel allowance. If we do not include it, what are we giving the pensioners in our Strategic Plan? I will tell you what we are giving the pensioners. We are giving them GST on their heating oil. We are giving them GST on their gas bills. We are giving them GST on their electricity bills. I would like to put the proposition to the Appel.

The Bailiff:

I invite any Member who wishes to vote to return to his or her seat. The voting is for or against the amendment of Senator Shenton, and I ask the Greffier to open the voting.

POUR:

Senator S. Syvret
 Senator B.E. Shenton
 Connétable of St. Ouen
 Connétable of St. Mary
 Connétable of St. Helier
 Connétable of Grouville
 Connétable of St. Brelade
 Deputy R.C. Duhamel (S)
 Deputy A. Breckon (S)
 Deputy of St. Martin
 Deputy G.C.L. Baudains (C)
 Deputy C.J. Scott Warren (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy P.J.D. Ryan (H)
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy D.W. Mezbourian (L)
 Deputy S. Power (B)
 Deputy A.J.H. Maclean (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)

CONTRE:

Senator F.H. Walker
 Senator W. Kinnard
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator M.E. Vibert
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator J.L. Perchard
 Connétable of St. Saviour
 Connétable of St. Peter
 Connétable of St. Lawrence
 Deputy P.N. Troy (B)
 Deputy J.B. Fox (H)
 Deputy of St. Ouen
 Deputy G.W.J. de Faye (H)
 Deputy of Trinity
 Deputy of St. Mary

ABSTAIN:

Senator S. Syvret:

I wonder if it might be an opportune moment to test the mood of the Assembly by proposing the adjournment as there is a function this evening, Sir.

STATEMENT ON A MATTER OF OFFICIAL RESPONSIBILITY – (Connétable K.P. Vibert of St. Ouen (Chairman of the Comité des Connétables))

The Bailiff:

Certainly, but just before you do that, Senator, I wonder if I might invite the Connétable of St. Ouen to make his statement on behalf of the Comité des Connétables.

2. Connétable K.P. Vibert of St. Ouen:

On 13th February 2006, the Comité des Connétables presented to the States R.C. 16/2006 - Rates (Jersey) Law 2005: Apportionment of Island-Wide Rates Figure, explaining why the apportionment of the Island-wide rate figure would be set by the Comité des Connétables for 2006 and not by Regulations. The report also set out the proposed timetable for 2006. The annual Island-wide rate figure is calculated in accordance with Article 52 of the Rates (Jersey) Law 2005 and is the total of the expenditure of all the Parishes for the financial year ending 30th April 2006 on the relief and maintenance of persons chargeable to the Parish who are suffering as a result of hardship, increased by the percentage rise in the Retail Price Index during the previous 12 months, together with a sum equivalent to 10 per cent of the part of the amount that does not relate to the provision of institutional care. Connétables are grateful to the Parish auditors for the prompt audit of Parish accounts this year to enable the annual Island-wide rate figure to be determined. The figures received from Parishes show that £3,323,934 was spent on welfare and £5,492,516 on residential care for the year ending 30th April 2006. Administration costs calculated at 10 per cent of the cost of welfare is added to make a total of £9,148,843. The increase in the Jersey Retail Price Index for the 12 months to March 2006 was 2.4 per cent. The annual Island-wide rate figure for 2006/07 as agreed with the States Treasury is, therefore, £9,368,416. In accordance with the requirements of the Rates (Jersey) Law 2005 Connétables have now consulted with the Chief Minister and the Business Consultative Panel and have held 3 public meetings to consult with the ratepayers. Having considered the views expressed, Connétables have determined that the apportionment for 2006 should be 55/45 domestic/non-domestic. That is to say, 55 per cent of the annual Island-wide rate figure should be raised from the domestic rates, and 45 per cent of the annual Island-wide rate figure should be raised from the non-domestic rates. There are approximately 836 million domestic quarters across the Island and so the Island-wide domestic rate will be 0.62 pence per quarter for 2006. There are approximately 379 million non-domestic quarters across the Island and so the Island-wide non-domestic rate will be 1.11 pence per quarter for 2006. Ratepayers will receive the account for the Island-wide rates as soon as the Parish rate has been sent by parishioners. The rates will be itemised, but ratepayers will have a single bill for both rates. Rates are payable on demand and a surcharge of 10 per cent will be added to all amounts not paid within 3 months of the date of the bill.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

3.1 Deputy R.C. Duhamel of St. Saviour:

On a housekeeping matter, at the previous but one meeting there was an indication from the Minister for Transport and Technical Services that indeed the Solid Waste Strategy, P.45, and the amendment would be taken on the 27th. Are we in a position to have that recorded with certainty or will that debate take place on Friday or at the end of Thursday?

The Bailiff:

I think we might have other problems next Tuesday, Deputy. Minister, do you wish to respond to that?

3.1.1 Deputy G.W.J. De Faye of St. Helier:

I believe that is the comment I have made previously, Sir. As to when the debate takes place, I am entirely in the hands of the House.

3.2 The Bailiff:

Senator, before you move the adjournment, I wonder whether I could ask the Chairman of the PPC (Privileges and Procedures Committee) to address the question of where we go from here because it seems clear to me, and probably to other Members too, that we are not going to finish this debate by tomorrow evening.

3.2.1 Connétable D.F. Gray of St. Clement:

I think the problem is that there are quite a lot of Members who have commitments on Friday, so I do not think we can really envisage going on on Friday because people are either out of the Island or concerned with Scrutiny. I think the House has already agreed to meet next Tuesday and I would suggest that they also agree to meet on the Wednesday and Thursday as well. That is the way forward, I think.

The Bailiff:

Members have no need to make a decision on that tonight, but it may be sensible if Members were to pencil in Wednesday and Thursday of next week if necessary, depending on how the debate goes tomorrow.

3.2.2 Senator F.H. Walker:

Can I sound out the mood of the House? We do still have quite a long way to go, although I sense we may speed up somewhat from the working of today and yesterday. Would it not be a good idea, as we have done on one or 2 occasions in the past, to commence our sitting at 9.00 a.m. and, if necessary, carry on until we finish the Strategic Plan tomorrow? I think that would sharpen our focus on getting the business done and I think it would be an effective way of concluding this debate.

The Bailiff:

Are you moving that as a proposition?

Senator F.H. Walker:

Yes.

The Bailiff:

Is that seconded? **[Seconded]** Would Members like to indicate whether they wish, unless there is an amendment, to begin at 9.00 a.m.

3.2.3 Senator P.F.C. Ozouf:

The only issue is that for people with departmental responsibilities, frankly one needs at least half an hour in the morning to try and get work done and to meet people, make calls, et cetera. It is very difficult. I entirely support the second part of it that we should carry on, but it really is quite difficult. I have meetings tomorrow morning scheduled from 7.30 a.m.

Senator F.H. Walker:

We have started at 9.00 a.m. in the not too distant past in similar circumstances and that seemed to work well.

The Bailiff:

If there is no amendment, I am going to put the proposition.

3.2.5 The Connétable of St. Helier:

I have an evening meeting tomorrow which I have to chair and so I would not be able to work past 6.45 p.m.

3.2.5 Deputy C.J. Scott Warren:

In view of the last Member's remarks, is it possible that we could have a ruling on whether we do or do not continue in the evening, because I was about to put off a meeting that I had to run tomorrow night at 7.00 p.m. Also, even if we could start at 9.15 a.m. or something because I think it is very, very difficult for 9.00 a.m. from outer regions.

The Bailiff:

If Members have insuperable difficulties at 9.00 a.m., as long as there is a quorum presumably the Assembly can convene at 9.00 a.m. If there is no amendment, as I say, I am going to put the proposition.

3.2.6 Deputy R.G. Le Hérisier:

I would like to suggest we meet at 9.30 a.m. and finish at 6.30 p.m.

The Bailiff:

Let us try the starting point of the day first of all. Let me put the proposition of the Chief Minister that the Assembly convenes at 9.00 a.m. tomorrow morning.

3.2.7 Deputy P.J.D. Ryan:

May I make a point on that specifically? We will be discussing first thing in the morning amendment 11, and I think it is quite important that most Members are there. You mentioned the fact that it is okay if we have a quorum. I think it is quite an important amendment and so I think it is important.

The Bailiff:

I am sure we can deal with that by dealing with one or 2 other ones first, Deputy, if necessary. I put the proposition. Those Members in favour of beginning at 9.00 a.m. tomorrow morning kindly show? Perhaps if you would not mind I will take an Appel. **[Laughter]** The vote is whether or not we begin at 9.00 a.m. tomorrow morning. I ask the Greffier to open the voting.

POUR:

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Helier
Connétable of Grouville
Deputy A. Breckon (S)
Deputy P.N. Troy (B)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy J.A. Le Fondre (L)
Deputy D.W. Mezbourian (L)

CONTRE:

Senator S. Syvret
Senator W. Kinnard
Senator P.F.C. Ozouf
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Brelade
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy of Trinity
Deputy K.C. Lewis (S)

ABSTAIN:

Deputy S. Power (B)
Deputy A.J.H. Maclean (H)
Deputy I.J. Gorst (C)

Deputy of St. Mary

The Bailiff:

By a majority of 24 to 22 we will begin at 9.00 a.m. tomorrow morning. So far as the closure time is concerned, there is a proposition from the Chief Minister that we continue for so long as it is necessary to continue to complete the debate and an alternative motion from Deputy Le Hérissier that we close at 6.30 p.m.

Deputy R.G. Le Hérissier:

Can we be clear that this is to close the Strategic Plan debate?

The Bailiff:

Yes, the Strategic Plan debate.

3.2.8 The Connétable of St. Helier:

Can I just speak on this item? As I said in an earlier speech, I have a professor speaking to members of the public tomorrow evening. I have to be at that meeting and I have amendments to the Strategic Plan. I think to say that we will continue until we are done, it could also go on until the small hours and I do not think our debate would be particularly good.

The Bailiff:

May I put first of all the amendment of Deputy Le Hérissier that we continue until 6.30 p.m. so that Members can at least plan on that basis if that is adopted. Those Members in favour of continuing until 6.30 p.m. kindly show? There is clearly a majority in favour of continuing until 6.30 p.m. tomorrow evening.

ADJOURNMENT

Senator S. Syvret:

I propose the adjournment, Sir.

The Bailiff:

Yes, the adjournment is proposed. If Members agree, we will now adjourn until 9.00 a.m. tomorrow morning.