

CHAIRMEN'S COMMITTEE

Meeting of Chairmen held on 7th December 2007 Meeting Number 66

Present	Deputy S C Ferguson, President Deputy R G Le Herissier, Vice President Deputy R C Duhamel Deputy G P Southern (from end item 3) Deputy A Breckon (item 1 -8) Deputy P J D Ryan Deputy J G Reed (item1-8) Deputy D W Mezbourian
Apologies	
In attendance	Mrs K Tremellen-Frost, Scrutiny Manager

Ref Back	Agenda matter	Action
1	<p>Minutes</p> <p>The Minutes of 5th and 17th October 2007 as amended and of 2nd and 15th November 2007, were taken as read and signed accordingly</p>	
2	<p>Internal Review into working practices</p> <p>The Committee noted that work on the preparation of Key Findings and Recommendations was underway.</p>	
3	<p>Panel reports</p> <p>The Committee noted the ongoing work programmes of the Panels and considered the following matters which were not included on the Panel position reports:-</p> <p style="text-align: center;">Corporate Services Panel</p> <p>Upon questioning by Deputy Duhamel regarding issues relating to the Review into the proposed Waterfront Development: Esplanade Square, Les Jardins de la Mer and La Route de La Liberation, the Chairman, Corporate Services Panel explained that he was not part of that Sub-Panel as he had a conflict of interest. It was agreed that Deputy Duhamel would speak directly to Deputy C. Egré who was the Chairman of the Sub-Panel.</p> <p style="text-align: center;">Economic Affairs</p> <p>Hearings regarding reviews of Jersey Finance Limited and also Jersey Telecoms Privatisation might be held during December.</p> <p style="text-align: center;">Education and Home Affairs</p> <p>Early Years and User Pays reports were currently being drafted.</p> <p style="text-align: center;">Health, Social Security and Housing</p> <p>Information in respect of the review into Mobile Telephone Masts continued to be received. There was likely to be an addendum to the original report in late January 2008. Monitoring of the Housing Minister's review of social housing was continuing, however, the Panel was maintaining some distance from that review at this stage. Income support would be monitored by the</p>	

	<p>Sub-Panel from 28th January 2008.</p> <p>The report on the Review of the Island Plan to rezone land for lifelong retirement dwellings for the over 55's and first time buyer homes, had been forwarded to the Sub-Panel. It had been agreed that the deadline for submissions of 14th January 2008 was not achievable.</p> <p style="text-align: center;">Environment</p> <p>Water Quality issues, St. Aubin's Bay: The Committee was advised that money which had been spent on the sewage plant had been badly spent as it was operating at lower flow rates. The Panel was in receipt of information that it might forward to the Public Accounts Committee. The Panel was considering alternative provisions for the sewage plant.</p> <p>The Panel had considered the Review of the Island Plan to rezone land for lifelong retirement dwellings for the over 55's and first time buyer homes and noted the importance of the document, how it linked with the Imagine Jersey 2035 document and its impact on the infrastructure of the Island.</p> <p>The Committee noted that Panel Members and an officer had attended an excellent Tidal Power Summit and explained some of the issues which had come to the fore. The Chairman was requested to prepare a brief paper on such issues.</p> <p style="text-align: center;">General</p> <p>It was also agreed that if Members were aware of any legislation which was due, they should pass it to the relevant Panel for consideration.</p>	
<p>4</p>	<p>Review of the Island Plan to rezone land for lifelong retirement dwellings for the over 55's and first time buyer homes/Imagine Jersey 2035</p> <p>The Committee, noting the importance of this document, considered the best means of addressing it. It considered an additional supplementary Chairmen's Committee meeting or the inclusion of one representative per Panel on the Corporate Services Migration Sub-Panel. The Committee recalled that the Chairman, Corporate Services Scrutiny Panel had requested in the States that the Chief Minister agree to a two-month extension of the consultation period for Imagine Jersey 2035. The Chief Minister had agreed to look into the practicality of the request and the Committee agreed that a letter supporting this request should be forwarded to the Chief Minister.</p>	<p>KTF/SF</p>
<p>5. 02.11.07 Item 5 [Ed/HA (ii)]</p>	<p>Chief of Police: interviews by Scrutiny Panels</p> <p>The Chairman, Education and Home Affairs Scrutiny Panel advised the Committee that, as the Chief of Police was neither a public employee nor a Civil Servant, that if a Panel wished to speak to him, a separate invitation should be sent under the States of Jersey (Powers, Privileges and Immunities) (Scrutiny Panels , PAC and PPC) (Jersey) Regulations 2006.</p>	
<p>6 02.11.07 Item [PAC]</p>	<p>Review of States Expenditure</p> <p>The Committee welcomed Mr. C. Swinson, O.B.E., Comptroller and Auditor General [C&AG] to the meeting and received a presentation in respect of the Review into States Expenditure.</p>	<p>5</p>

The C&AG explained that the purpose of his attendance at the meeting was purely on an information-giving basis and that he was not seeking funds.

He explained that his review would comprise three phases:-

1. Consideration of what the States had undertaken in order to achieve the £35 million reduction; what had been possible and not possible. This report was scheduled to be completed in January 2008, would be a public document and forwarded to the Public Accounts Committee.

2. A series of Departmental studies would follow with some cross-cutting reviews. The Committee noted that the Senior Management Teams in each Department had been requested to consider ways of cutting the expenditure of their respective Departments. These cuts may be ones which could have an effect on service delivery. The purpose of this was to identify whether proposed cuts were correctly described and whether other areas could be considered. This would require a political debate. The cross-cutting reviews would be undertaken to ensure that issues were not missed. This report was scheduled to be published by end March 2008.

3. This phase would consider issues in the Public Finances (Jersey) Law 2005 regarding the technical structures in place to control expenditure. This would form the basis of a Public Accounts Committee review later in 2008.

The Committee was advised of the Departments which would be examined and noted some concerns regarding one specific Department. The C&AG explained that this study regarded the principle of the way the States managed its expenditure. It was noted that the move away from the Committee structure had implied corporate control within the Corporate Management Board but it appeared that some expenditure control had not moved to that model.

The C&AG noted that scrutiny would like, indeed, needed to see planned expenditure in a comprehensible format: departmental list of projects, how much they had allocated to which project and whether they had delivered.

The Committee noted that it was important that the C&AG maintained his independence throughout all his work to avoid any political involvement. However, he explained the importance of all States Members in playing their part in ensuring the system worked. He also welcomed advice as to how best to raise the matter in the public domain.

Finally the Committee noted that, once the reports were available, it would be essential to work together as a scrutiny team to progress the matter.

The C&AG withdrew from the meeting.

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05.10.07
Item 5

Draft Code of Practice

The Committee considered comments from the Scrutiny Panels in respect of the draft Code of Practice and agreed a number of amendments [as attached].

With regard to 12.3 *“The Scrutiny Manager provides an executive support to the Chairmen’s Committee,”* the Environment Panel Chairman advised that his Panel had unanimously agreed that

	<p>this was inaccurate as scrutiny did not have a Chief Executive Officer and that it should read <i>“The Greffier of the States provides the executive support to the Chairmen’s Committee”</i>.</p> <p>The Committee was advised that, once the officer to the Environment Panel had clarified the amendment which had been made to this clause [which had been to amend the former clause which read: <i>“The Scrutiny Manager provides an executive support to the Chairmen’s Committee and the Public Accounts Committee”</i> to remove the Public Accounts Committee from the clause as this was no longer the case] to Panel Members on the day following the Panel meeting, they rescinded the original decision and approved it. However, despite this explanation from both the Scrutiny Manager and the President, Chairmen’s Committee, the Chairman was unprepared to accept this and pursued the matter that it was a unanimous decision of the Panel.</p> <p>The Scrutiny Manager volunteered to withdraw from the meeting to see whether the Greffier of the States was available to attend to offer the support to the Chairmen’s Committee and prepare the minutes thereafter.</p> <p>Following a vote of the Committee it was agreed by all but one Member to retain the phrase, as amended.</p> <p>The Committee, having agreed a number of amendments, decided that the updated version, highlighting the latest changes should be sent to all Scrutiny Members for notification. Subsequently there would be an electronic mail meeting to approve the draft Code be lodged “au Greffe”.</p>	KTF
<p>8</p> <p>15.11.07</p> <p>Item 1</p>	<p>Annual Business Plan/Departmental Business Plans</p> <p>The Committee noted the reports in respect of the Annual Business Plan 2009 and Departmental Business Plans 2008 considered by the Council of Ministers at its last meeting and noted that the process for the coming year was now agreed between all parties.</p> <p>It noted concerns of the Chairman, Economic Affairs Panel that the timetable would not produce any improvement as it would be rushed again. He reiterated his view that scrutiny should be considering a two-year process from the outset.</p> <p>It was agreed that the whereabouts of Departmental Business Plans should be identified as they were due to Scrutiny Panels in December.</p> <p>It was also noted that two officers [Mike Haden and Liz Kingston-Walsh] had attended a course on financial scrutiny at INLOGOV, University of Birmingham and noted that difficulties in local government in this respect mirrored issues in Jersey.</p> <p>It was further and finally noted that three officers [Mike Haden, Nathan Fox and Liz Kingston-Walsh] were also attending a local course with Jersey Business School which was being held for public employees on the preparation of Business Plans.</p>	KTF
<p>9</p>	<p>Machinery of Government Review</p> <p>The Committee considered correspondence, dated 29th November 2007 from the President, Privileges and Procedures Committee and noted the particular recommendations that that Committee wished the Chairmen’s Committee to consider.</p>	

	<p>It agreed that it would consider a draft response prepared by the Scrutiny Manager which would be circulated by email and that if this were approved it would be forwarded accordingly. The Committee would reconsider whether it wished to hold a subsequent meeting in respect of this report in the New Year.</p>	KTF
<p>10 02.12.07 Item 6</p>	<p>Newsletter - issue 2 evaluation</p> <p>The Committee noted an evaluation of the preparation and production of the Scrutiny Matters newsletter issue no.2. It agreed that consideration regarding the publication of a third Newsletter during Spring 2008 would be given at a subsequent meeting.</p>	
<p>11 20.11.06 Item 9</p>	<p>Home Lifestyle Show; November 2008</p> <p>The Committee recalled that the Environment Panel had had a stand at the Home Lifestyle Show in November 2006 which had been agreed to be most successful. It also recalled that following that exhibition, the Chairmen's Committee of that day had agreed that for subsequent Home Lifestyle Exhibitions, either all Panels should be encouraged to have a stand or there should be a joint stand.</p> <p>The Committee noted from the Environment Panel report that it had already booked a stand and paid a deposit without consideration of the previous Chairmen's Committee decision. The Committee, having considered the opportunities for public engagement on behalf of the scrutiny function as a whole, agreed that it was more appropriate to have one generic scrutiny stand rather than the Environment Panel have one and scrutiny have another. It was agreed that a larger stand should be sought to replace that booked by the Environment Panel and funding could be made available from the General Scrutiny Budget.</p> <p>The Committee also considered the timing of the event and, noting that it was to be held in early November 2008, was aware of the proximity to the date for the election of Deputies. On consideration of this, it was agreed that this would probably be a slack time in terms of scrutiny work and that a number of officers could possibly be freed to prepare and man this. Scrutiny Members could then attend as was convenient to them on a personal basis.</p> <p>The Scrutiny Manager was requested to take the necessary action.</p>	KTF
<p>12</p>	<p>States Assembly underspend - early transfer to Treasury</p> <p>The Committee considered a verbal report from the President in respect of the transfer of an underspend from the States Assembly budget to Treasury which had been offered by the Privileges and Procedures Committee. Panel Chairmen expressed concern how this could be undertaken without consultation with the Chairmen's Committee and they requested information be forwarded to each Panel Chairmen advising them of how much budget had been retained for their respective Panels.</p>	KTF
<p>13</p>	<p>2008 meeting dates</p> <p>The Committee agreed the following dates, noting that, due to the elections, some meeting dates might be rescheduled: -</p>	

	January 18th February 22nd March 28th April 25th May 23rd June 20th July 11th August 8th September 12th October 10th November 7th December 5th	
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Signed

Date

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 President, Chairmen's Committee

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