



**THE STATES assembled on Tuesday
12th December 2017, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir William James Bailhache.**

**His Excellency the Lieutenant Governor,
Air Chief Marshall Sir Stephen Dalton, G.C.B., LL.D. (Hon.), D.Sc. (Hon.), B.Sc., F.R.Ae.S.,
C.C.M.I. was present.**

All members were present at roll call with the exception of –

Senator Lyndon John Farnham – en défaut (défaut raised at 9.47 a.m.)
Senator Sir Philip Martin Bailhache – en défaut
Senator Sarah Craig Ferguson – en défaut (défaut raised at 9.47 a.m.)
Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 9.47 a.m.)
Deputy Richard John Rondel of St. Helier – ill
Deputy Samuel Yves Mézec of St. Helier – en défaut (défaut raised at 9.38 a.m.)
Deputy Andrew David Lewis of St. Helier – en défaut (défaut raised at 9.43 a.m.)
Deputy Louise Mary Catherine Doublet of St. Saviour – en défaut (défaut raised at 9.47 a.m.)

Prayers

Notification of lodged propositions

Future Hospital: approval of preferred scheme and funding (P.107/2017) – third amendment. P.107/2017.
Amd.(3).

Lodged: 12th December 2017.
Senator P.F.C. Ozouf.

Hospital catering department: cancel relocation to an offsite location – petition. P.124/2017.

Lodged: 12th December 2017.
Senator S.C. Ferguson.

Arrangement of public business for the present meeting

THE STATES rejected a proposition of Deputy Russell Labey of St. Helier that, in accordance with Standing Order 87(2)(b), consideration of the proposition of the Minister for Treasury and Resources entitled ‘Future Hospital: approval of preferred scheme and funding’ (P.107/2017) be deferred to 30th January 2018.

Members present voted as follows –

POUR: 19

Senator S.C. Ferguson
Connétable of St. Saviour
Connétable of Grouville
Connétable of St. John
Connétable of Trinity

CONTRE: 25

Senator P.F. Routier
Senator P.F.C. Ozouf
Senator A.J.H. Maclean
Senator I.J. Gorst
Senator L.J. Farnham

ABSTAIN: 0

Deputy J.A. Martin (H)	Senator A.K.F. Green
Deputy G.P. Southern (H)	Connétable of St. Helier
Deputy of Grouville	Connétable of St. Clement
Deputy J.A.N. Le Fondré (L)	Connétable of St. Peter
Deputy K.C. Lewis (S)	Connétable of St. Mary
Deputy M. Tadier (B)	Connétable of St. Ouen
Deputy M.R. Higgins (H)	Connétable of St. Martin
Deputy J.M. Maçon (S)	Deputy J.A. Hilton (H)
Deputy S.Y. Mézec (H)	Deputy of Trinity
Deputy L.M.C. Doublet (S)	Deputy E.J. Noel (L)
Deputy R. Labey (H)	Deputy of St. John
Deputy S.M. Bree (C)	Deputy S.J. Pinel (C)
Deputy T.A. McDonald (S)	Deputy R.G. Bryans (H)
Deputy G.J. Truscott (B)	Deputy of St. Peter
	Deputy A.D. Lewis (H)
	Deputy of St. Ouen
	Deputy S.M. Wickenden (H)
	Deputy M.J. Norton (B)
	Deputy of St. Mary
	Deputy P.D. McLinton (S)

Future Hospital: approval of preferred scheme and funding P.107/2017

THE STATES commenced consideration of a proposition of the Minister for Treasury and Resources entitled ‘Future Hospital: approval of preferred scheme and funding’ (P.107/2017).

THE STATES commenced consideration of an amendment of the Connétable of St. John (P.107/2017 Amd.).

THE STATES commenced consideration of an amendment of Deputy Jeremy Martin Maçon of St. Saviour (P.107/2017 Amd.Amd.) to the amendment of the Connétable of St. John (P.107/2017 Amd.).

Adjournment

THE STATES, adopting a proposition of Deputy Judith Ann Martin of St. Helier, agreed in accordance with Standing Order 45, to adjourn for a period of 10 minutes in order to allow time for H.M. Attorney General to consider questions which had been raised by the Assembly during the debate on the proposition of the Minister for Treasury and Resources entitled ‘Future Hospital: approval of preferred scheme and funding’ (P.107/2017).

Future Hospital: approval of preferred scheme and funding P.107/2017

THE STATES resumed consideration of the proposition of the Minister for Treasury and Resources entitled ‘Future Hospital: approval of preferred scheme and funding’ (P.107/2017) and, resuming consideration of the amendment of the Connétable of St. John (P.107/2017 Amd.), rejected an amendment of Deputy Jeremy Martin Maçon of St. Saviour to that amendment (P.107/2017 Amd.Amd.) that –

in Amendment 1, the words “the words “up to” insert the words “£392 million with a contingency of £74 million (as agreed with the Corporate Services Scrutiny Panel), giving a total of”, and after” should be deleted;

in Amendment 3, for the inserted new paragraph (e) there should be substituted the following –

“(e) to agree that the budget should be up to £392 million with a contingency of £74 million (as agreed with the Corporate Services Scrutiny Panel), and that the contingency of up to £74 million will only be released on a case-by-case basis, subject to the presentation by the Minister for Treasury and Resources of a document to the States setting out the proposed expenditure, at least 21 working days before any payment is made;” and

in Amendment 5, in the inserted new paragraph (g), for the words “paragraphs (a) to (f)”, there should be substituted the words “paragraph (a)”; and for the words “Proposed Hospital site”, there should be substituted the words “Planning Application for the new Hospital”.

Members present voted as follows –

POUR: 19

Senator S.C. Ferguson
 Connétable of St. Saviour
 Connétable of St. John
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy M. Tadier (B)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (C)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary

CONTRE: 25

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator A.K.F. Green
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy M.J. Norton (B)
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

ABSTAIN: 0

THE STATES, resuming consideration of the amendment of the Connétable of St. John (P.107/2017 Amd.), adopted an amendment of the Minister for Treasury and Resources to that amendment (P.107/2017 Amd.Amd.(2)) that –

in Amendment 1, for the words “£392 million”, there should be substituted the words “£396 million”; for the words “£74 million”, there should be substituted the words “£70 million”; and the words “(as agreed with the Corporate Services Scrutiny Panel)” should be deleted;

Amendment 2 should be deleted;

in Amendment 3, for the words “£74 million”, there should be substituted the words “£70 million”; and for the words “presentation by the Minister for Treasury and Resources of a document to the States setting out the proposed expenditure, at least 21 working days before any payment is made”, there should be substituted the words “requirements set out in the Financial Direction issued by the Treasurer of the States under Article 34 of the Public Finances (Jersey) Law 2005”; and

for the inserted new paragraph (g), there should be substituted the following –

“(g) if the forecast spend arising from the effects of any recommendations made by the Planning Inspector considering the planning application for the new Hospital result in the project’s capital expenditure budget exceeding £466 million, the project will be placed on hold, and the Council of Ministers shall be required to bring a proposition and report to the States in order for the project to be resumed.”.

Members present voted as follows –

POUR: 36

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator A.K.F. Green
 Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Deputy G.P. Southern (H)
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy S.Y. Mézec (H)
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Wickenden (H)
 Deputy M.J. Norton (B)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

CONTRE: 6

Connétable of St. Saviour
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy of St. John
 Deputy S.M. Bree (C)
 Deputy T.A. McDonald (S)

ABSTAIN: 0

THE STATES, resuming consideration of the amendment of the Connétable of St. John (P.107/2017 Amd.), as amended, adopted the amendment, as amended, and agreed that –

in paragraph (a), after the words “up to”, there should be inserted the words “£396 million with a contingency of £70 million, giving a total of”, and after the words “£466 million”, there should be inserted the words “, subject to paragraph (g)”;

after paragraph (d), there should be inserted the following new paragraph (e) –

“(e) to agree that the contingency of up to £70 million will only be released on a case-by-case basis, subject to the requirements set out in the Financial Direction issued by the Treasurer of the States under Article 34 of the Public Finances (Jersey) Law 2005;”;

the existing paragraph (e) should be renamed as “(f)”, and for the full-stop at the end of the paragraph, there should be substituted “; and”; and

after renamed paragraph (f), there should be inserted the following new paragraph (g) –

“(g) if the forecast spend arising from the effects of any recommendations made by the Planning Inspector considering the planning application for the new Hospital result in the project’s capital expenditure budget exceeding £466 million, the project will be placed on hold, and the Council of Ministers shall be required to bring a proposition and report to the States in order for the project to be resumed.”.

Members present voted as follows –

POUR: 39

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator A.K.F. Green
 Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy S.Y. Mézec (H)
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy S.M. Wickenden (H)
 Deputy M.J. Norton (B)

CONTRE: 4

Deputy J.A. Martin (H)
 Deputy of St. John
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Bree (C)

ABSTAIN: 0

Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), Deputy Stephen George Luce of St. Martin declared an interest and withdrew from the Chamber for the duration of the debate on the proposition of the Minister for Treasury and Resources.

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of Senator Philip Francis Cyril Ozouf, agreed, in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of his amendment (P.107/2017 Amd.(3)) to the proposition of the Minister for Treasury and Resources entitled 'Future Hospital: approval of preferred scheme and funding' (P.107/2017) in order that it might be debated at the present meeting.

Members present voted as follows –

POUR: 24

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator A.K.F. Green
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Trinity
 Deputy of Trinity
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy S.J. Pinel (C)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy P.D. McLinton (S)

CONTRE: 15

Senator S.C. Ferguson
 Connétable of Grouville
 Connétable of St. John
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy K.C. Lewis (S)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (C)
 Deputy M.J. Norton (B)
 Deputy G.J. Truscott (B)

ABSTAIN: 1

Senator P.F.C. Ozouf

THE STATES noted that Senator Philip Francis Cyril Ozouf had informed the Greffier, in accordance with Standing Order 34(1), that his amendment (P.107/2017 Amd.(2)) to the proposition of the Minister for Treasury and Resources entitled 'Future Hospital: approval of preferred scheme and funding' (P.107/2017) had been withdrawn.

Future Hospital: approval of preferred scheme and funding P.107/2017

THE STATES, resuming consideration of the proposition of the Minister for Treasury and Resources entitled 'Future Hospital: approval of preferred scheme and funding' (P.107/2017), as amended, and adopting paragraphs 1 and 2 of an amendment of Senator Philip Francis Cyril Ozouf (P.107/2017 Amd.(3)), agreed that –

after paragraph (c), there should be inserted the following new paragraph –

“(d) to request the Minister for Treasury and Resources –

- (i) to undertake a review of the feasibility and costs of undertaking any borrowing on the basis that the capital amount borrowed is repaid in tranches over the intended life of the new General Hospital rather than in a single lump sum on final maturity; and
- (ii) in each case to report the outcome of such review to the Assembly no later than 28th February 2018;” and

the original paragraphs (d) and (e) should be renamed as “(e)” and “(f)” respectively; and at the end of the renamed paragraph (f)(iii), for the full-stop, there should be substituted a semi-colon.

Members present voted as follows –

POUR: 37

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator A.K.F. Green
 Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen

CONTRE: 7

Connétable of St. John
 Deputy G.P. Southern (H)
 Deputy of St. John
 Deputy S.Y. Mézec (H)
 Deputy R. Labey (H)
 Deputy S.M. Bree (C)
 Deputy T.A. McDonald (S)

ABSTAIN: 0

Deputy L.M.C. Doublet (S)
 Deputy S.M. Wickenden (H)
 Deputy M.J. Norton (B)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

THE STATES, adopting paragraph 3 of the amendment of Senator Philip Francis Cyril Ozouf (P.107/2017 Amd.(3)), agreed that after the renamed paragraph (f), there should be inserted the following new paragraph –

“(g) to request the Minister for Treasury and Resources to bring legislation to the Assembly to place the Treasury Advisory Panel (TAP) on a statutory basis on a similar basis to the Fiscal Policy Panel.”.

Members present voted as follows –

POUR: 32

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator A.K.F. Green
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (C)
 Deputy M.J. Norton (B)
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

CONTRE: 11

Senator S.C. Ferguson
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of Grouville
 Connétable of St. John
 Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy of St. John
 Deputy S.Y. Mézec (H)
 Deputy R. Labey (H)
 Deputy T.A. McDonald (S)

ABSTAIN: 1

Deputy of St. Mary

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), Deputy Stephen George Luce of St. Martin declared an interest and withdrew from the Chamber for the duration of the debate on the proposition of the Minister for Treasury and Resources.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 13th December 2017 to continue consideration of the proposition of the Minister for Treasury and Resources entitled 'Future Hospital: approval of preferred scheme and funding' (P.107/2017), as amended, and the other items of public business listed for the present meeting.

THE STATES rose at 5.33 p.m.

L.-M. HART

Deputy Greffier of the States