

**THE STATES assembled on Tuesday  
16th September 2008, at 09.30 a.m. under  
the Presidency of the Deputy Bailiff,  
Mr. Michael Cameron St. John Birt Esquire.**

**His Excellency the Lieutenant Governor,  
Lieutenant-General Andrew Peter Ridgway, C.B., C.B.E.,  
was present**

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

Senator Stuart Syvret – en défaut (défaut raised at 9.50 a.m.)  
Connétable Daniel John Murphy of Grouville – excused  
Deputy Peter Nicholas Troy of St. Brelade– en défaut (défaut raised at 9.54 a.m.)  
Deputy Celia Joyce Scott Warren of St. Saviour– excused (arrived in the Chamber at 10.57 a.m.)  
Deputy Patrick John Dennis Ryan of St. Helier– ill  
Deputy Shona Pitman of St. Helier– ill

Prayers

**Subordinate enactments tabled**

The following enactment was tabled, namely –

Terrorism (Proscribed Organizations) (Amendment No. 4) (Jersey) Order 2008. R&O.111/2008.  
*Minister for Home Affairs.*

**Documents presented or laid**

Annual Business Plan 2009 (P.113/2008): tenth amendment (P.113/2008 Amd.(10))– P.113/2008.  
comments. Amd.(10)Com.  
Presented: 16th September 2008.  
*Minister for Education, Sport and Culture.*

Energy From Waste Facility: Public Inquiry (P.136/2008) – comments. P.136/2008.  
Presented: 16th September 2008. Com.  
*Minister for Transport and Technical Services.*

Prison! Me! No Way!!! Jersey: Executive Committee 2007/2008 – Chairman’s Annual R.99/2008.  
Report.  
Presented: 16th September 2008.  
*Minister for Home Affairs.*

Strategic Plan: progress against initiatives as at 30th June 2008. R.100/2008.  
Presented: 16th September 2008.  
*Council of Ministers.*

**Notification of lodged propositions**

Rates: the States’ liability. P.147/2008.  
Lodged: 16th September 2008.  
*Connétable of St. Helier.*

## **Withdrawal of lodged propositions**

THE STATES noted that, in accordance with Standing Order 34(1), the proposer of the following proposition lodged “au Greffe” had informed the Greffier of the States that it had been withdrawn –

Annual Business Plan 2009 (P.113/2008): fifth amendment (P.113/2008 Amd.(5))–  
amendment.

P.113/2008.  
Amd.(5)Amd.

Lodged: 12th September 2008.

*Chief Minister.*

## **Written Questions**

*(see Official Report/Hansard)*

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern regarding payments for protection from GST for those on Income Support.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern regarding the cost of the Income Support system.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern regarding ‘j’ category consents to purchase.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern regarding the provision for a pay award for States employees in 2009.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern regarding the availability of connections to the north of England over the winter period.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern regarding the absorption of the 3.7% annual uprating of Income Support to meet increased accommodation costs.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern regarding meeting the cost of X-rays or other scans through the Income Support scheme.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern regarding the net job-growth figure over the 5 year period to date.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern regarding the net job-growth figure over the 5 year period to date.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern regarding the ownership of share-transfer properties.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern regarding the case for the introduction of a third supermarket retailer in the Island.

## **Oral Questions**

*(see Official Report/Hansard)*

Deputy S.S.P.A. Power of St. Brelade asked a question of the Assistant Minister for Health and Social Services regarding the demand for respite care beds.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Minister for Transport and Technical Services regarding a trial of 2 electric Smart-cars supplied by the JEC.

Deputy P.V.F. Le Claire of St. Helier asked a question of the Minister for Health and Social Services regarding the cost of new cancer drugs.

Deputy P.V.F. Le Claire of St. Helier asked a question of the Minister for Housing regarding the provision of a rebate of rent for residents of the Cedars.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the withholding of benefits via the powers granted under the Income Support (Jersey) Law 2007.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding incentives to work and save within the Income Support system.

Deputy J.A. Martin of St. Helier asked a question of the Minister for Social Security regarding entitlements to a Job Seeker's Allowance.

Deputy J.A. Martin of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the teaching of cookery skills to young people.

### **Oral Questions without notice**

*(see Official Report/Hansard)*

The Minister for Home Affairs answered questions without notice from members.

The Chief Minister answered questions without notice from members.

### **Draft Annual Business Plan 2009 P.113/2008**

THE STATES commenced consideration of a proposition of the Chief Minister concerning the draft Annual Business Plan 2009, and adopted an amendment of the Deputy of St. Ouen that in paragraph (a)(i) after the words "pages 10 to 12" the following words should be inserted—

“except that for success criteria (iii) in Objective 1 on page 10 there shall be substituted the following success criteria –

‘(iii) As part of the prioritisation process, the development of any new initiatives policies or strategies to be supported by all resource implications and funded within the approved total net revenue expenditure for States funded bodies contained in Summary Table A of the 2009 Annual Business Plan;’ ”.

THE STATES adopted an amendment of the Deputy of St. Ouen that in paragraph (a)(i) after the words“pages 10 to 12” the following words should be inserted—

“except that after success criteria (viii) in Objective 1 on page 10 there shall be inserted the following success criteria (with the subsequent success criteria renumbered) –

‘(ix) Annual work programme produced at the beginning of each year by the Council of Ministers, after consultation with the scrutiny panels, setting out the proposed timetable of debate for propositions to be lodged by all Ministers;’ ”.

Members present voted as follows –

**POUR: 41**

**CONTRE: 0**

**ABSTAIN: 0**

Senator L. Norman  
Senator F.H. Walker  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator T.J. Le Main

Senator F.E. Cohen  
 Senator J.L. Perchard  
 Connétable of St. Ouen  
 Connétable of St. Peter  
 Connétable of St. Clement  
 Connétable of Trinity  
 Connétable of St. Lawrence  
 Connétable of St. Brelade  
 Connétable of St. John  
 Deputy R.C. Duhamel (S)  
 Deputy A. Breckon (S)  
 Deputy J.J. Huet (H)  
 Deputy of St. Martin  
 Deputy G.C.L. Baudains (C)  
 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 S.C. Ferguson (B)  
 Deputy of St. Ouen  
 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 D.W. Mezbourian  
 (L)  
 Deputy of Trinity  
 Deputy S.S.P.A. Power (B)  
 Deputy A.J.D. Maclean (H)  
 Deputy K.C. Lewis (S)  
 Deputy I.J. Gorst (C)  
 Deputy of St. Mary

THE STATES rejected an amendment of the Deputy of St. Ouen that in paragraph (a)(i) after the words“pages 10 to 12” the following words should be inserted–

- (x) all new policies, strategies and initiatives for all Departments identified in the 2009 Annual Business Plan considered by the States;’ ”.

Members present voted as follows –

**POUR: 12**

Senator L. Norman  
 Connétable of St. Clement  
 Deputy R.C. Duhamel (S)  
 Deputy A. Breckon (S)  
 Deputy G.C.L. Baudains (C)  
 Deputy J.B. Fox (H)  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy S.C. Ferguson (B)  
 Deputy of St. Ouen  
 Deputy G.W.J. de Faye (H)  
 Deputy A.J.D. Maclean (H)

**CONTRE: 29**

Senator F.H. Walker  
 Senator W. Kinnard  
 Senator T.A. Le Sueur  
 Senator P.F. Routier  
 Senator M.E. Vibert  
 Senator T.J. Le Main  
 Senator F.E. Cohen  
 Senator J.L. Perchard  
 Connétable of St. Ouen  
 Connétable of St. Peter  
 Connétable of Trinity  
 Connétable of St. Lawrence  
 Connétable of St. Brelade

**ABSTAIN: 0**

Connétable of St. John  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy P.N. Troy (B)  
Deputy C.J. Scott Warren  
(S)  
Deputy R.G. Le Hérisssier  
(S)  
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 of Trinity  
Deputy S.S.P.A. Power (B)  
Deputy K.C. Lewis (S)  
Deputy I.J. Gorst (C)  
Deputy of St. Mary

THE STATES adopted an amendment of Deputy Roy George Le Hérisssier of St. Saviour that in paragraph (a) after the words “pages 10 to 12” the following words should be inserted–

“except that after success criterion (vi) in Objective 2 on page 10 there shall be inserted the following new success criterion (and subsequent success criteria renumbered accordingly) –

(vii) Succession Plan covering senior positions in public service developed by the end of September 2009;”.

THE STATES adopted an amendment of the Public Accounts Committee that in paragraph (a)(i) after the words “pages 10 to 12” the following words should be inserted–

“except that after success criterion (x) in Objective 2 on page 11 there shall be inserted the following additional success criteria –

- (xi) In conjunction with the Treasury and all other States Departments, develop an action plan to deliver potential expenditure reductions and other related issues highlighted in the Comptroller and Auditor General’s report entitled “Emerging Issues” presented to the States on 19th May 2008;
- (xii) Remuneration mechanisms of the States reviewed to ensure that arrangements are fit for purpose and appropriate to support the achievement of the States’ objectives in the current environment;
- (xiii) Age limits and financial arrangements for redundancy, early retirement and retirement for all States employees reviewed so that these are more comparable with best practice in the private sector or United Kingdom standards for equivalent services; giving due recognition to the economic environment and local employment conditions in which the States operates;
- (xiv) A consistent programme of performance reviews and appraisals implemented which encourages and supports staff development and retention and improves performance.”

THE STATES, adopting paragraph (a)(i) of the draft Annual Business Plan 2009, as amended, agreed–

- (a) to approve the summary key objectives and success criteria for 2009 of the following States funded bodies as shown in Part One of the draft Annual Business Plan –
  - (i) Chief Minister’s Department, as detailed in Part One of the report, pages 10 to 12; except that for success criteria (iii) in Objective 1 on page 10 there should be substituted the

following success criteria –

- “(iii) As part of the prioritisation process, the development of any new initiatives policies or strategies to be supported by all resource implications and funded within the approved total net revenue expenditure for States funded bodies contained in Summary Table A of the 2009 Annual Business Plan.”,

and that in Objective 1, after success criteria (viii) on page 10 there should be inserted the following success criteria (with the subsequent success criteria renumbered) –

- “(ix) Annual work programme produced at the beginning of each year by the Council of Ministers, after consultation with the scrutiny panels, setting out the proposed timetable of debate for propositions to be lodged by all Ministers;”,

and that in Objective 2, after success criterion (vi) on page 10 there should be inserted the following new success criterion (and subsequent success criteria renumbered accordingly) –

- “(vii) Succession Plan covering senior positions in public service developed by the end of September 2009;”,

and that in Objective 2 after success criterion (x) on page 11 there should be inserted the following additional success criteria –

- “(xi) In conjunction with the Treasury and all other States Departments, develop an action plan to deliver potential expenditure reductions and other related issues highlighted in the Comptroller and Auditor General’s report entitled “Emerging Issues” presented to the States on 19th May 2008;
- (xii) Remuneration mechanisms of the States reviewed to ensure that arrangements are fit for purpose and appropriate to support the achievement of the States’ objectives in the current environment;
- (xiii) Age limits and financial arrangements for redundancy, early retirement and retirement for all States employees reviewed so that these are more comparable with best practice in the private sector or United Kingdom standards for equivalent services; giving due recognition to the economic environment and local employment conditions in which the States operates;
- (xiv) A consistent programme of performance reviews and appraisals implemented which encourages and supports staff development and retention and improves performance.”.

THE STATES commenced consideration of the summary key objectives and success criteria for the Economic Development Department and rejected an amendment of Deputy Geoffrey Peter Southern of St. Helier that in paragraph (a)(ii) after the words “pages 13 to 15” the following words should be inserted–

“except that for success criterion (i) in Objective 1 on page 13 there shall be substituted the following success criterion –

- ‘(i) Controlled, sustainable real economic growth, at or close to 2% p.a. to ensure that States policies on net inward migration are met over the plan period;’ ”.

Members present voted as follows –

**POUR: 4**

Deputy R.C. Duhamel (S)  
Deputy G.C.L. Baudains (C)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)

**CONTRE: 40**

Senator L. Norman  
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

**ABSTAIN: 0**

Senator B.E. Shenton  
 Senator F.E. Cohen  
 Senator J.L. Perchard  
 Connétable of St. Ouen  
 Connétable of St. Peter  
 Connétable of St. Clement  
 Connétable of Trinity  
 Connétable of St. Lawrence  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. John  
 Connétable of St. Saviour  
 Deputy J.J. Huet (H)  
 Deputy of St. Martin  
 Deputy P.N. Troy (B)  
 Deputy C.J. Scott Warren  
 (S)  
 Deputy R.G. Le Hérisier  
 (S)  
 Deputy J.B. Fox (H)  
 Deputy S.C. Ferguson (B)  
 Deputy of St. Ouen  
 Deputy of St. Peter  
 Deputy J.A. Hilton (H)  
 Deputy G.W.J. de Faye (H)  
 Deputy P.V.F. Le Claire (H)  
 Deputy D.W. Mezbourian  
 (L)  
 Deputy of Trinity  
 Deputy S.S.P.A. Power (B)  
 Deputy A.J.D. Maclean (H)  
 Deputy K.C. Lewis (S)  
 Deputy of St. John  
 Deputy I.J. Gorst (C)  
 Deputy of St. Mary

THE STATES adopting paragraph (a)(ii), approved the summary key objectives and success criteria for the Economic Development Department, as detailed in Part One of the report, pages 13 to 15.

THE STATES commenced consideration of the summary key objectives and success criteria for the Education, Sport and Culture Department and rejected an amendment of the Deputy of St. Ouen that in paragraph (a)(ii) after the words “pages 16 to 18” the following words should be inserted–

“except that –

- (a) in success criterion (i) in Objective 1 on page 16, after the words ‘take account of Scrutiny Report’ there shall be inserted the words ‘and working with the Council of Ministers, the appropriate funding identified and provided for in the 2010 Business Plan in order to provide an integrated and equitable early years education for all 3 to 4 year-olds’; and
- (b) after success criterion (i) in Objective 1 on page 16 there shall be inserted the following success criterion (with the subsequent success criteria renumbered) –
  - ‘(ii) spending reductions identified in the Comptroller and Auditor General’s report entitled “Emerging Issues” presented to the States on 19th May 2008 achieved in order to fund an equitable early years education for all 3 to 4 year-olds from September 2009;’ ”.

Member present voted as follows –

**POUR: 12**

**CONTRE: 30**

**ABSTAIN: 0**

Senator L. Norman  
 Senator J.L. Perchard  
 Connétable of St. Peter  
 Connétable of St. Martin  
 Deputy R.C. Duhamel (S)  
 Deputy S.C. Ferguson (B)  
 Deputy of St. Ouen  
 Deputy J.A.N. Le Fondré  
 (L)  
 Deputy D.W. Mezbourian  
 (L)  
 Deputy A.J.D. Maclean (H)  
 Deputy of St. John  
 Deputy I.J. Gorst (C)  
 Senator L. Norman  
 Senator J.L. Perchard  
 Connétable of St. Peter  
 Connétable of St. Martin  
 Deputy R.C. Duhamel (S)  
 Deputy S.C. Ferguson (B)  
 Deputy of St. Ouen  
  
 Deputy J.A.N. Le Fondré  
 (L)  
 Deputy D.W. Mezbourian  
 (L)  
 Deputy A.J.D. Maclean (H)  
 Deputy of St. John  
 Deputy I.J. Gorst (C)

Senator F.H. Walker  
 Senator W. Kinnard  
 Senator T.A. Le Sueur  
 Senator P.F. Routier  
 Senator M.E. Vibert  
 Senator T.J. Le Main  
 Senator B.E. Shenton  
 Senator F.E. Cohen  
  
 Connétable of St. Ouen  
  
 Connétable of St. Clement  
 Connétable of St. Helier  
 Connétable of Trinity  
 Connétable of St. Lawrence  
 Connétable of St. Brelade  
 Connétable of St. Saviour  
 Deputy A. Breckon (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.B. Fox (H)  
  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy P.V.F. Le Claire (H)  
 Deputy of Trinity  
 Deputy S.S.P.A. Power (B)  
 Deputy K.C. Lewis (S)  
 Deputy of St. Mary

THE STATES, adopting paragraph (a)(iii) approved the summary key objectives and success criteria for the Education, Sport and Culture Department, as detailed in Part One of the report, pages 16 to 18.

### **Adjournment**

THE STATES adjourned, having agreed to reconvene on Wednesday 17th September 2008, to continue consideration of the draft Annual Business Plan 2009 (P.113/2008) and the outstanding items of public business.

THE STATES rose at 5.35 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*