

Council of Ministers

(5th Meeting)

26th March 2024Part A (Non-Exempt)

All members were present, with the exception of Deputy R.J. Ward of St. Helier Central, Minister for Education and Lifelong Learning and Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter, Minister for External Relations, from whom apologies had been received.

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter, Chief Minister
 Connétable R. Vibert of St. Peter, Minister for Children and Families
 Connétable A.N. Jehan of St. John, Minister for Infrastructure (for items A1-A2, B1-B2, part of items A3 and B3 and B6 only)
 Deputy C.F. Labey of Grouville and St. Martin, Minister for International Development
 Deputy S.G. Luce of Grouville and St. Martin, Minister for the Environment
 Deputy K.F. Morel of St. John, St. Lawrence and Trinity, Minister for Sustainable Economic Development
 Deputy M.R. Le Hegarat of St. Helier North, Minister for Justice and Home Affairs
 Deputy C.S. Alves of St. Helier Central, Assistant Minister for Education and Lifelong Learning (in lieu of the Minister)
 Deputy S.Y. Mézec of St. Helier South, Minister for Housing (for part of items A3 and B3 and items B4-B6 only)
 Deputy L.V. Feltham of St. Helier Central, Minister for Social Security
 Deputy E.M. Millar of St. John, St. Lawrence and Trinity, Minister for Treasury and Resources
 Deputy T.J.A. Binet of St. Saviour, Minister for Health and Social Services

In attendance -

Connétable M.K. Jackson of St. Brelade, Representative of the Comité des Connétables
 Deputy M.R. Scott of St. Brelade, Assistant Minister for Sustainable Economic Development (not in attendance for part of item A3)
 Deputy R.E. Binet of Grouville and St. Martin, Assistant Minister for Health and Social Services
 Deputy A. Howell of St. John, St. Lawrence and Trinity, Assistant Minister for Health and Social Services
 Deputy B. Ward of St. Clement, Assistant Minister for Health and Social Services
 M.H. Temple, K.C., H.M. Attorney General
 L.-M. Hart, Greffier of the States
 Dr. A. McLaughlin, Interim Chief Executive and Head of the Public Service, Government of Jersey (not in attendance for item B6)
 R. Bell, Treasurer of the States (for item B5 only)
 L. Darwin, Acting Chief People and Transformation Officer, People, Policy and Digital Team, Cabinet Office (for item B6 only)
 R. Summersgill, Comptroller of Taxes, Treasury and Exchequer (for part of items A3 and B3 only)

W. Peggie, Group Director – Natural Environment, Infrastructure and Environment Department (for part of item A3 only)
S. Duhamel, Director, Strategic Policy, Planning and Performance Department (for part of items A3 and B3 only)
I. Cope, Director of Statistics and Analytics, Strategic Policy, Planning and Performance Department (for part of items A3 and B3 only)
P. Wylie, Group Director of Policy, Strategic Policy, Planning and Performance Department (for items A1-A3 and B1-B5 only)
S. Robinson, Head of Shareholder Relations, Treasury and Exchequer (for part of items A3 and B3 only)
M. Dames, Head of Digital Economy, Department for the Economy (for item B4 only)
J. Healey, Policy Principal, Digital Economy, Department for the Economy (for item B4 only)
P. Bradbury, Head of Ministerial Office
B. Markwell-Sales, Business and Governance Officer to the Council of Ministers, Cabinet Office
T. Mourant, Private Secretary to the Chief Minister
K.L. Slack, Senior Secretariat Officer, States Greffe

Note: The Minutes of this meeting comprise Parts A and B.

- Minutes. A1. The Minutes of the Council of 20th February, 5th March and 12th March 2024 (Parts A and B), having previously been circulated, were taken as read and were confirmed, subject to the correction of a minor error in the Part A Minutes of 12th March 2024. Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter, Chief Minister, commended the Senior Secretariat Officer, States Greffe, on the calibre of the Minutes.
- Declarations of interest. A2. Declarations of interest were received from the following Ministers in relation to items discussed at the current meeting –
- Deputy K.F. Morel of St. John, St. Lawrence and Trinity, Minister for Sustainable Economic Development, in relation to the discussion of the proposition entitled ‘Protection of Trees’ (P.98/2023 referred) to the extent that a close family member was the Chief Executive Officer of Jersey Trees for Life; and
 - Deputy L.V. Feltham of St. Helier Central, Minister for Social Security, in connexion with the Digital Economy Strategy, to the extent that a close family member was a Director and shareholder of a technology provider.
- Forthcoming business. A3. The Council discussed the following items of public business, which were scheduled to be debated by the States Assembly at the meeting on 17th April 2024 –

Offshore Wind (P.82/2023)

Deputy S.G. Luce of Grouville and St. Martin, Minister for the Environment, indicated that the Chair of the Environment, Housing and Infrastructure Scrutiny Panel would not be in the States Assembly until Wednesday 18th April 2024 and wished, if possible, to be present for the debate on this proposition. However, he reminded the Council that this proposition would have been lodged ‘*au Greffe*’ for 6 months on Tuesday 17th April 2024 and that Standing Order 34(2) provided that any proposition which had not been debated within 6 months of the day on which it had been lodged would be taken to have been withdrawn. Accordingly, he intended to ask the States Assembly to suspend Standing Orders to enable the debate on P.82/2023 to commence on 18th April 2024. It was noted that the Bailiff was in

agreement with this proposal;

Protection of Trees (P.98/2023)

Deputy M.R. Scott of St. Brelade, who had lodged P.98/2023, explained the rationale for bringing the proposition, *inter alia* that she was of the view that the current mechanism for listing trees was insufficiently robust, noting that there were some special trees in the churchyard at St. Brelade that were not listed. She indicated that she was preparing an amendment on the basis that one of the dates contained within the proposition had already elapsed and, in so doing, had taken advice from officers. She undertook to circulate the draft amendment to Ministers and withdrew from the meeting.

The Council heard from Mr. W. Peggie, Group Director – Natural Environment, Infrastructure and Environment Department, who indicated that following the devastation caused by Storm Ciarán he had established a group of interested parties, including Government officers, to discuss the restoration of trees. This group was available to offer information and advice as required in relation to the planting, protection and management of trees. Noting that the Department was already undertaking the work requested by Deputy Scott in her proposition, it was agreed that there would be merit in Deputy Luce discussing the subject further with Deputy Scott outside the formal setting of the meeting;

Draft Income Tax (Amendment – Stage 2 of Independent Taxation) (Jersey) Law 202- (P.6/2024): Amendment (P.6/2024(Amd.))

The Council noted that Deputy L.M.C. Doublet of St. Saviour had lodged an amendment to P.6/2024, seeking to remove the option for couples, who were married or in a civil partnership, to complete a joint tax return. She contended that her amendment would render the proposals truly independent and compliant with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Having discussed the foregoing, the Council agreed to oppose the amendment and to present comments on the same, indicating that work would progress on independent taxation, as previously agreed by the States Assembly; and

Pay Gap Reporting (P.13/2024)

The Council indicated that it would encourage all businesses to provide the gender pay gap information sought in the proposition of Deputy Doublet. However, it emphasised that this should not be overly onerous and suggested that information on the ethnicity pay gap would also be of interest and that the Government should lead by example in providing the same. The Council decided to present comments on the proposition and instructed officers to take the necessary action.