



**XIV
2010**

BILLET D'ÉTAT

WEDNESDAY, 26th MAY, 2010

**MOTION OF NO CONFIDENCE IN THE
MINISTER AND MEMBERS OF THE
PUBLIC SERVICES DEPARTMENT**

B I L L E T D ' É T A T

TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY

I have the honour to inform you that a Meeting of the States of Deliberation will be held at **THE ROYAL COURT HOUSE**, on **WEDNESDAY**, the **26th MAY, 2010**, immediately after the meetings of the States of Election and the States of Deliberation already convened for that day, to consider the item contained in this Billet d'État which has been submitted for debate.

G. R. ROWLAND
Bailiff and Presiding Officer

The Royal Court House
Guernsey
14 May 2010

MOTION OF NO CONFIDENCE IN THE MINISTER AND MEMBERS OF THE
PUBLIC SERVICES DEPARTMENT

TO THE POLICY COUNCIL:

PURSUANT to Rule 18 of the Rules of Procedure of the States of Deliberation ("the Rules of Procedure"), we the undersigned being Members of the States of Deliberation **REQUEST** the Chief Minister to lay this motion of no confidence in the Minister and Members of the Public Services Department before the States of Deliberation as soon as is reasonably practicable.

Grounds

1. At their meeting in February 2010 the States of Deliberation considered a Requête led by Deputy J Kuttelwascher entitled "Residual Waste Treatment – Contracting with Selected Preferred Bidder". In the event the States approved an amendment to the prayer of that Requête, and resolved

“To direct the Public Services Department to give written notice to Suez Environnement of the States’ decision to withdraw its status as Preferred Bidder and to withdraw from the procurement process”

for a residual waste treatment facility. In the final vote upon the amended Requête only two Members voted contre, one of whom, a Member of the Public Services Department, was Alderney Representative W Walden.

2. At their meeting in March 2010 the States considered another Requête, on this occasion led by Deputy A Spruce, seeking the restoration of Suez Environnement as the Preferred Bidder and resumption of the procurement process for a residual waste treatment facility. The States rejected each part of the prayer of that Requête, whereupon Deputy Spruce announced his intention to resign from the Board of the Public Services Department.
3. Public Services Department Minister Deputy B M Flouquet has indicated that he will not be involved in the Department’s development of proposals for a revised strategy for disposing of solid waste, and requested Board Member Deputy S J Ogier to take on responsibility for leading that process. Deputy Spruce has now announced that he does not intend to resign from the Board of the Public Services Department, but that he will not participate in the process either.
4. Because two Members of the Public Services Department Board are not involved, by their own choice, in the Department’s development of proposals for a revised strategy for disposing of solid waste, the signatories to this motion doubt whether the membership of the Board remains appropriate and satisfactory for that purpose, and consider that in those circumstances the States

may not have confidence in the Department's Minister or Members, and may wish to confirm, or otherwise, the membership of the Board.

Motion

THESE PREMISES CONSIDERED we recommend that the States of Deliberation should approve the following motion of no confidence, and so propose:

That pursuant to Rule 18 of the Rules of Procedure, the States of Deliberation have no confidence in the Minister and Members of the Public Services Department.

SIGNED at Guernsey, this 4th day of May, 2010

D de G De Lisle
S L Langlois
J Kuttelwascher
R R Matthews
M W Collins
J A B Gollop
G P Dudley-Owen

The States are asked to decide:-

Whether, after consideration of the Motion of No Confidence in the Minister and Members of the Public Services Department, dated 4th May, 2010, signed by Deputy D de G De Lisle and six other Members of the States, they are of the opinion:-

1. That pursuant to Rule 18 of the Rules of Procedure, the States of Deliberation have no confidence in the Minister and Members of the Public Services Department.
2. To elect
 - (1) a sitting Member of the States as Minister for the Public Services Department to complete the unexpired portion of the term of office of Deputy B M Flouquet;
 - (2) four sitting Members of the States as members of the Public Services Department to complete the unexpired portions of the terms of office of Deputies S J Ogier, T M Le Pelley and A Spruce and Alderney Representative W Walden,

to serve until May 2012 in accordance with Rule 7 of the Constitution and Operation of States Departments and Committees.

(NB Paragraph (5) of Rule 18 of the Rules of Procedure of the States of Deliberation provides:

- (5) *Where a motion of no confidence in respect of a Department or Committee is approved by the States –*
 - (a) *all the members of that Department or Committee including the Minister or Chairman thereof shall thereupon be deemed to have tendered their resignations from such membership and those resignations shall be deemed to have been accepted by the States;*
 - (b) *the motion shall be deemed to include such propositions to the States as may be appropriate for the election at that meeting of new members of the Department or Committee and a Minister or Chairman thereof to complete the respective unexpired portions of the terms of office of the previous members and Minister or Chairman.)*