

**Highways (Amendment) Bill 2015 –
Bill referred to committee**

The President: Now, Hon. Members, the Hon. Member, Mr Coleman, has suggested he wishes to move that the Bill be referred to committee. Would you like to speak to that now, sir, and give some indication of what manner of committee you are considering – whether it is the Council in its entirety in committee?

Mr Anderson: Madam President, some guidance maybe – can we do this at a later stage in the reading of the Bill?

The President: It is for you, Hon. Members. If the Hon. Member gets a seconder and we begin to debate it, then you can decide that you want to defer it to a Second Reading or to the clauses stage or whatever.

Hon. Member.

Mr Coleman: Thank you, Madam President.

I think that enough disquiet has been expressed by Hon. Members of this Council about this Bill. I think such concern warrants the consideration of moving the Bill to committee. A committee, I think, would not necessarily need to be the entire Council, but with the powers to bring in the Department to explain some of the parts of the Bill which we want further detail on; probably, as we have them in another place, a minimum of three Members. Obviously, I think it would be the proposer and any detractors possibly – three or four Members of the Legislative Council –

The President: Please be specific, sir, because we have got to vote on it if you get it approved.

Mr Coleman: Four Members of the Legislative Council.

The President: Four Members, thank you. Do we have a seconder?

Hon. Member.

Mr Turner: Madam President, I would like to second the motion by Mr Coleman.

He has explained that, notwithstanding, we have had the one response – and of course one response is not always necessarily a knee-jerk reaction – but there were also the comments he made earlier that were made in the other place which also do raise concern.

I think if we were to go back and ask the Department I am pretty sure I can predict what the answer is going to be – they would say ‘no’ they do not want a committee – but I think it is the fundamental job of this Council to, as I said earlier in the previous Bill, ensure that these leave in the right shape. Given there are issues here which we need to probe a bit deeper into, I think it would be helpful to the Council and also to the Department, who are going to have to operate this legislation, if we do go through these issues and a committee will be able to give a full report to Members of the Council, in order that we are properly briefed.

So I will support and second the motion to move this to a committee.

The President: Does anyone wish to speak to the proposal?

The Hon. Member, Mr Cretney.

Mr Cretney: Yes, well, again, I am very content to support the suggestion of four Members of Council looking at this. I think our role is principally one of scrutiny and that is what is being requested here.

When I received the email which other Members received late last night or early this morning, I did not go back to the person saying, 'No, it is too late,' that we could not do anything; I got onto the Department and am awaiting their response. It would be unrealistic, given that we only opened our emails this morning at eight o'clock or nine o'clock or whatever, for them to be in a position to come back.

I do believe these matters are worthy of further consideration and, for that reason and the point that the Hon. Member made about comments in another place ... Our role is one of scrutiny and I believe that this would be best completed by a committee, as suggested.

The President: The Hon. Member, Mr Anderson, did you wish to speak?

Mr Anderson: No.

The President: You do not.
The Hon. Member, Mr Wild.

Mr Wild: Thank you, Madam President.

Just to confirm my support to my hon. colleague, Mr Coleman, and to say I would be quite happy to be on that committee.

Thank you.

The President: Mr Coleman to reply.

Mr Coleman: I would like to thank the Members of Council that have supported my proposal that we move this to committee. I think it is sensible and I think it reflects our role as the second gateway for legislation and I think it shows that we are being true to our role; and I move that we appoint a committee to look into the Highways Bill.

The President: Hon. Members, the motion is that a committee of four Members be formed to scrutinise the Highways (Amendment) Bill 2015 and report back. Those in favour, please say aye; against, no. The ayes have it.

A division was called for and voting resulted as follows:

In the Council – Ayes 9, Noes 0

FOR	AGAINST
The Lord Bishop	None
Mr Turner	
Mr Coleman	
Mr Cretny	
Mr Anderson	
Mr Wild	
Mr Corkish	
Mr Henderson	
Mr Crookall	

The President: Nine votes in favour, no votes against, Hon. Members. The motion therefore carries.

We now seek to appoint four members to this committee. Can I have nominations please?

Mr Anderson: Madam President, can I propose Mr Wild.

Mr Crookall: I second Mr Wild.

Mr Cretney: I propose Mr Coleman.

Mr Wild: I would like to second Mr Coleman.

Mr Coleman: May I propose Mr Corkish.

Mr Anderson: I would like to second Mr Corkish.

The President: Three nominations. It is for a four-man committee, Hon. Members.

Mr Wild: Can I nominate Mr Turner, please.

Mr Coleman: I would like to second that.

The President: There are no more nominations, Hon. Members. I consider the four members elected. Mr Wild, Mr Coleman, Mr Corkish and Mr Turner will comprise the members of the committee. Thank you.

Hon. Members, that concludes consideration of our business –