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

Senator Alan John Henry Maclean – en défaut (défaut raised at 9.35 a.m.)
Connétable Stephen William Pallett of St. Brelade – ill
Connétable Sadie Anthea Rennard of St. Saviour – excused attendance (arrived in the Chamber at 12.28 p.m.)
Deputy Judith Ann Martin of St. Helier – en défaut (défaut raised at 9.35 a.m.)
Deputy Carolyn Fiona Labey of Grouville – en défaut (défaut raised at 10.00 a.m.)
Deputy Michael Roderick Higgins of St. Helier – en défaut (défaut raised at 9.35 a.m.)
Deputy Kristina Louise Moore of St. Peter – en défaut (défaut raised at 2.18 p.m.)

Prayers

Subordinate enactments tabled

The following enactments were tabled, namely –

Road Traffic (Sand Street Car Park) (Jersey) Order 2012.  
_MINISTER FOR TRANSPORT AND TECHNICAL SERVICES._ R&O.119/2012.

_CHIEF MINISTER._ R&O.120/2012.

Community Provisions (Restrictive Measures – Somalia) (Amendment No. 2)  
(Jersey) Order 2012.  
_CHIEF MINISTER._ R&O.121/2012.

_CHIEF MINISTER._ R&O.122/2012.

Documents presented or laid

Presented: 2nd November 2012.  
_COUNCIL OF MINISTERS._ P.69/2012. Add.
(P.69/2012 Amd.) – comments.
Presented: 5th November 2012.
Council of Ministers.

(P.69/2012 Amd.(2)) – comments.
Presented: 5th November 2012.
Council of Ministers.

(P.69/2012 Amd.(3)) – comments.
Council of Ministers.

(P.69/2012 Amd.(4)) – comments.
Presented: 5th November 2012.
Council of Ministers.

(P.69/2012 Amd.(5)) – comments.
Presented: 2nd November 2012.
Council of Ministers.

(P.69/2012 Amd.(6)) – comments.
Presented: 2nd November 2012.
Council of Ministers.

(P.69/2012 Amd.(7)) – comments.
Presented: 2nd November 2012.
Council of Ministers.

(P.69/2012 Amd.(8)) – comments.
Presented: 5th November 2012.
Council of Ministers.

(P.69/2012 Amd.(9)) – comments on Part 3.
Presented: 2nd November 2012.
Council of Ministers.

Corporate Services Scrutiny Panel.

(P.69/2012 Amd.(10)) – comments.
Presented: 5th November 2012.
Council of Ministers.
Presented: 5th November 2012.
Council of Ministers.

Minister for Treasury and Resources.

Tax Policy Unit report in response to the amendment to the 2011 Budget regarding non-Jersey owned companies.
Presented: 26th October 2012.
Minister for Treasury and Resources.

Presented: 30th October 2012.
Privileges and Procedures Committee.

Minister for Planning and Environment.

Land Transactions under Standing Order 168(3) –
(a) Assignment and variation of leases (E25b, E27 and E27a) and (E34) Condor Logistics (Jersey) Limited and Commodore Properties Limited to Ferryspeed (C.I.) Limited;
(b) A32 Albert Pier, A33/A33A Albert Pier, V12Q Victoria Pier, LC24 La Collette – lease.
Minister for Treasury and Resources.

Presented: 5th November 2012.
Minister for Social Security.

Land Transactions under Standing Order 168(3) – Chez Marguerite Day Care Centre, 3 Elizabeth Place, St. Helier – disposal.
Minister for Treasury and Resources.

Notification of lodged propositions

Lodged: 30th October 2012.
Council of Ministers.

Lodged: 5th November 2012.
Chief Minister.
Deputy J.A. Martin of St. Helier.

Deputy G.C.L. Baudains of St. Clement.

Minister for Economic Development.

Minister for Economic Development.

Minister for Economic Development.

Minister for Home Affairs.

Draft Fire Precautions (Designated Premises) (Jersey) Regulations 201-. Lodged: 30th October 2012. 
Minister for Home Affairs.

Minister for Treasury and Resources.

Minister for Education, Sport and Culture.

Council of Ministers.

Deputy M.R. Higgins of St. Helier.

Written Questions
(see Official Report/Hansard) 

The Minister for Education, Sport and Culture tabled an answer to a question asked by the Connétable of St. John regarding the commemoration of the centenary of the First World War.
The Minister for Housing tabled an answer to a question asked by Deputy J.A.N. Le Fondré of St. Lawrence regarding an analysis of the States social rented housing stock and the rental income.

The Minister for Housing tabled an answer to a question asked by Deputy J.A.N. Le Fondré of St. Lawrence regarding the total built area of residential properties in the Housing Department’s portfolio and the current density of social rented housing estates.

The Minister for Housing tabled an answer to a question asked by Deputy J.A.N. Le Fondré of St. Lawrence regarding the current use value of each social rented housing estate.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the environmental impact of the derelict former Plémont Holiday camp.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy J.A. Martin of St. Helier regarding schemes for the expansion and/or the redevelopment of Green Street car park.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the operational on-site parking provision proposed at the Summerland scheme in 2010.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding residential parking in St. Helier.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the full costs of the proposed new Police Headquarters.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the difference between ‘onsite’ and ‘basement’ parking at the proposed new Police Headquarters.

H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the full role of the Law Officers’ Department in the issuing and prosecution of Enforcement Notices for the Planning and Environment Department.

H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the use of ‘super-injunctions’ on behalf of named individual private citizens.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the exportation of Jersey’s hazardous waste.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the transferral of staff from Connex to CT Plus.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the interaction between high rental costs, the level of the minimum wage, income tax thresholds and Income support rates.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the interaction between high rental costs, the level of the minimum wage, income tax thresholds and Income support rates.
The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the interaction between high rental costs, the level of the minimum wage, income tax thresholds and Income support rates.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the costs of providing the ‘Client Fixtures, Fittings and Equipment’ for both the offices and operational elements of the proposed new Police Headquarters.

**Oral Questions**

*(see Official Report/Hansard)*

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding the demolition of the former holiday camp at Plémont.

Deputy R.G. Le Hérissier of St. Saviour asked a question of H.M. Attorney General regarding confidential counselling and medical information used in open court.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Home Affairs regarding the itemisation of evidence retrieved during the Haut de la Garenne investigation.

Deputy M. Tadier of St. Brelade asked a question of the Chief Minister regarding the Terms of Reference for the Committee of Inquiry into historic child abuse.

The Connétable of St. John asked a question of the Minister for Treasury and Resources regarding the maintenance budget for Plat Douet School.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Home Affairs regarding requirements for special entry visas in respect of foreign journalists or writers visiting Jersey.

Deputy G.C.L. Baudains of St. Clement asked a question of the Assistant Chief Minister regarding software replacements in 2013.

Senator S.C. Ferguson asked a question of the Minister for Health and Social Services regarding the introduction of the Liverpool care pathway by the End of Life Group.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding company tax receipts derived from finance sector profits.

The Connétable of St. John asked a question of the Minister for Economic Development regarding the breakdown of the Airport Instrument Landing System.

Deputy M.R. Higgins of St. Helier asked a question of H.M. Attorney General regarding the existence of statutory powers to prevent journalists/tv teams/writers from entering Jersey.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Transport and Technical Services regarding the production of a feasibility study of an Island-wide kerb-side collection scheme for recycling.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Transport and Technical Services regarding the corporate structures of HCT Group and CT Plus and their status as social enterprise institutions.
Deputy T.M. Pitman of St. Helier asked a question of the Minister for Home Affairs regarding the reopening of Operation Rectangle in light of allegations made in respect of Jimmy Savile at Haut de la Garenne.

**Oral Questions without notice**  
*(see Official Report/Hansard)*

The Minister for Treasury and Resources answered questions without notice from members.

The Chief Minister answered questions without notice from members.

**Statements on a matter of official responsibility**  
*(see Official Report/Hansard)*

The Minister for Education, Sport and Culture made a statement about the way in which student grants will be assessed in the future.

**Medium Term Financial Plan 2013 – 2015  P.69/2012**

THE STATES commenced consideration of the proposition of the Council of Ministers entitled ‘Medium Term Financial Plan 2013 – 2015’ (P.69/2012) and rejected part 1 of an amendment of Deputy John Alexander Nicholas Le Fondré of St. Lawrence (Amendment 7) that in paragraph (a) after the words “as set out in Summary Table A” there should be inserted the words –

“except that the intended total amount of States income shall be increased by £2,250,000 in the year 2014 by the payment of an additional distribution from the States of Jersey Development Company Ltd. in these amounts which the Minister for Treasury and Resources would require from the Company by 30th June 2014.”

Members present voted as follows –

**POUR: 10**

- Senator A. Breckon
- Senator S.C. Ferguson
- Connétable of St. John
- Deputy J.A. Martin (H)
- Deputy G.P. Southern (H)
- Deputy J.A.N. Le Fondré (L)
- Deputy S. Pitman (H)
- Deputy M. Tadier (B)
- Deputy M.R. Higgins (H)
- Deputy G.C.L. Baudains (C)

**CONTRE: 37**

- Senator P.F. Routier
- Senator P.F.C. Ozouf
- Senator A.J.H. Maclean
- Senator B.I. Le Marquand
- Senator F. du H. Le Gresley
- Senator I.J. Gorst
- Senator L.J. Farnham
- Senator P.M. Bailhache
- Connétable of St. Helier
- Connétable of Grouville
- 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
- Deputy R.C. Duhamel (S)

**ABSTAIN: 0**
THE STATES rejected part 2 of an amendment of Deputy John Alexander Nicholas Le Fondré of St. Lawrence (Amendment 7) that in paragraph (a) after the words “as set out in Summary Table A” there should be inserted the words –

“except that the intended total amount of States income shall be increased by £2,250,000 in the year 2015 by the payment of an additional distribution from the States of Jersey Development Company Ltd. in these amounts which the Minister for Treasury and Resources would require from the Company by 30th June 2015”.

Members present voted as follows –

POUR: 16  CONTRE: 31  ABSTAIN: 0

Senator A. Breckon  Senator P.F. Routier
Senator S.C. Ferguson  Senator P.F.C. Ozouf
Connétable of St. John  Senator A.J.H. Maclean
Connétable of St. Martin  Senator B.I. Le Marquand
Deputy R.G. Le Hérissier (S)  Senator F. du H. Le Gresley
Deputy J.A. Martin (H)  Senator I.J. Gorst
Deputy G.P. Southern (H)  Senator L.J. Farnham
Deputy of St. Ouen  Senator P.M. Bailhache
Deputy J.A.N. Le Fondré (L)  Connétable of St. Helier
Deputy S. Pitman (H)  Connétable of Grouville
Deputy M. Tadier (B)  Connétable of St. Clement
Deputy T.A. Vallois (S)  Connétable of St. Peter
Deputy M.R. Higgins (H)  Connétable of St. Lawrence
Deputy J.M. Maçon (S)  Connétable of St. Mary
Deputy G.C.L. Baudains (C)  Connétable of St. Ouen
Deputy S.J. Pinel (C)  Connétable of St. Saviour
Deputy R.C. Duhamel (S)  Deputy of Grouville
Deputy of St. Peter  Deputy J.A. Hilton (H)
THE STATES commenced consideration of an amendment of Deputy Michael Roderick Higgins of St. Helier (Amendment 10) that in paragraph (b) after the words “as set out in Summary Table A” there should be inserted the words –

“except that the total amount of States net expenditure shall be increased by £60,000 in 2013 to enable the payment of a grant in this amount to the Band of the Island of Jersey.”.

and in paragraph (c)(i) after the words “as set out in Summary Table B” there should be inserted the words –

“except that the net revenue expenditure of the Economic Development Department shall be increased by £60,000 in 2013 to enable the payment of a grant in this amount to the Band of the Island of Jersey.”.

THE STATES, after some discussion, granted leave to Deputy Michael Roderick Higgins of St. Helier to withdraw his amendments to the ‘Medium Term Financial Plan 2013 – 2015’ (P.69/2012) (Amendment 10).

THE STATES rejected an amendment of Deputy Montfort Tadier of St. Brelade (Amendment 3) that in paragraph (b) after the words “as set out in Summary Table A” there should be inserted the words –

“except that the total amount of States net revenue expenditure shall be increased by £25,000 in each of the years 2013, 2014 and 2015 in order to provide funding for the reinstatement of 24 hours a week French language assistant teaching in primary schools”.

and in paragraph (c)(i) after the words “as set out in Summary Table B” there should be inserted the words –

“except that the net revenue expenditure of the Education, Sport and Culture Department shall be increased by £25,000 in each of the years 2013, 2014 and 2015 in order to provide funding for the reinstatement of 24 hours a week French language assistant teaching in primary schools”.

Members present voted as follows –

Deputy of Trinity
Deputy K.C. Lewis (S)
Deputy E.J. Noel (L)
Deputy A.K.F. Green (H)
Deputy of St. John
Deputy J.P.G. Baker (H)
Deputy J.H. Young (B)
Deputy of St. Mary
Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy of St. Peter
Deputy R.J. Rondel (H)
POUR: 20  CONTRE: 26  ABSTAIN: 0

Connétable of St. Helier  Senator P.F. Routier
Connétable of Grouville  Senator S.C. Ferguson
Connétable of St. Lawrence  Senator A.J.H. Maclean
Connétable of St. Mary  Senator B.I. Le Marquand
Connétable of St. John  Senator F. du H. Le Gresley
Connétable of St. Saviour  Senator I.J. Gorst
Deputy R.G. Le Hérrissier (S)  Senator L.J. Farnham
Deputy J.A. Martin (H)  Senator P.M. Bailhache
Deputy G.P. Southern (H)  Connétable of Trinity
Deputy of Grouville  Connétable of St. Clement
Deputy J.A.N. Le Fondré (L)  Connétable of St. Peter
Deputy S. Pitman (H)  Connétable of St. Ouen
Deputy M. Tadier (B)  Connétable of St. Martin
Deputy T.A. Vallois (S)  Deputy R.C. Duhamel (S)
Deputy M.R. Higgins (H)  Deputy of St. Ouen
Deputy J.M. Maçon (S)  Deputy J.A. Hilton (H)
Deputy J.H. Young (B)  Deputy of Trinity
Deputy S.J. Pinel (C)  Deputy S.S.P.A. Power (B)
Deputy of St. Mary  Deputy E.J. Noel (L)
Deputy R.J. Rondel (H)  Deputy A.K.F. Green (H)
Deputy G.C.L. Baudains (C)  Deputy of St. John
Deputy J.P.G. Baker (H)  Deputy of St. Martin
Deputy R.G. Bryans (H)  Deputy of St. Peter

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(b), Senator Philip Francis Cyril Ozouf had declared an interest and withdrew from the Chamber for the duration of the debate on the amendment of Deputy Montfort Tadier of St. Brelade (Amendment 3).

THE STATES commenced consideration of an amendment of Deputy John Hilary Young of St. Brelade (Amendment 2) that in paragraph (b) after the words “as set out in Summary Table A” there should be inserted the words –

“except that the total amount of States net revenue expenditure shall be increased by £300,000 in each of the years 2013 and 2014 in order to provide additional funding for the 3 environmental projects identified in paragraph 7 of the report accompanying the amendment of Deputy J.H. Young of St. Brelade lodged ‘au Greffe’ on 22nd October 2012”.

and that in paragraph (c)(i) after the words “as set out in Summary Table B” there should be inserted the words –

“except that the net revenue expenditure of the Planning and Environment Department shall be increased by £300,000 in each of the years 2013 and 2014 in order to provide additional funding for the 3 environmental projects identified in paragraph 7 of the report accompanying the amendment of Deputy J.H. Young of St. Brelade lodged ‘au Greffe’ on 22nd October 2012, namely Countryside Infrastructure; Island Plan 2011 Implementation and Strengthening the Protection and Regulation of the Island’s Environment.”.
THE STATES, after some discussion, granted leave to Deputy John Hilary Young of St. Brelade of
St. Helier to withdraw his amendments to the ‘Medium Term Financial Plan 2013 – 2015’ (P.69/2012)
(Amendment 2).

THE STATES rejected an amendment of Deputy Roy George Le Hérrissier of St. Saviour
(Amendment 4) that in paragraph (b) after the words “as set out in Summary Table A” there should be
inserted the words –

“except that the total amount of States net revenue expenditure shall be increased by
£500,000 in each of the years 2013 to 2015 to enable additional grants to be made available
to third sector organizations.”

and in paragraph (c)(i) after the words “as set out in Summary Table B” there should be inserted the
words –

“except that the net revenue expenditure of the Treasury and Resources Department shall be
increased by £500,000 in each of the years 2013 to 2015 to enable additional grants to be
made available to third sector organizations through appropriate new allocation procedures
established as appropriate between the Minister for Treasury and Resources and the
Association of Jersey Charities and other bodies representing such organizations.”

Members present voted as follows –

**POUR: 6**

Senator A. Breckon
Deputy R.G. Le Hérrissier (S)
Deputy G.P. Southern (H)
Deputy S. Pitman (H)
Deputy M.R. Higgins (H)
Deputy R.G. Bryans (H)

**CONTRE: 37**

Senator P.F. Routier
Senator P.F.C. Ozouf
Senator S.C. Ferguson
Senator A.J.H. Maclean
Senator B.I. Le Marquand
Senator F. du H. Le Gresley
Senator I.J. Gorst
Senator L.J. Farnham
Senator P.M. Bailhache
Connétable of St. Helier
Connétable of Trinity
Connétable of Grouville
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
Deputy R.C. Duhamel (S)
Deputy J.A. Martin (H)
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)

**ABSTAIN: 0**
THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(b), Senator Paul Routier had declared an interest and withdrew from the Chamber for the duration of the debate on the amendment of Deputy Roy George Le Hérissier of St. Saviour (Amendment 4).

THE STATES commenced consideration of an amendment of Deputy Geoffrey Peter Southern of St. Helier (Amendment 5) that in paragraph (b) after the words “as set out in Summary Table A” there should be inserted the words –

“except that the total amount of States net revenue expenditure shall be increased by £10,700,000 in 2013, £8,700,000 in 2014 and £8,700,000 in 2015 to provide additional funding for public sector pay awards”.

and that in paragraph (c)(ii) after the words “as set out in Summary Table C” there should be inserted the words –

“except that the allocation for Contingency (Pay Provision) shall be increased by £10,700,000 in 2013, £8,700,000 in 2014 and £8,700,000 in 2015 to provide additional funding for public sector pay awards”.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 7th November 2012 to continue consideration of the proposition of the Council of Ministers entitled ‘Medium Term Financial Plan 2013 – 2015’ (P.69/2012) and the outstanding items of public business.

THE STATES rose at 5.29 p.m.

M.N. DE LA HAYE

Greffier of the States