



THE STATES assembled on Tuesday,
24th May, 1983 at 10.15 a.m. under
the Presidency of the Bailiff, Sir Frank
Ereaut.

His Excellency the Lieutenant Governor, General Sir Peter
Whiteley, G.C.B., O.B.E., was present.

All members were present with the exception of –

Senator John Le Marquand – ill.

Senator Richard Joseph Shenton – out of the Island.

Senator John Philip de Carteret – absent.

William John Morvan, Connétable of St. Lawrence – out of
the Island.

Norman Stuart Le Brocq, Deputy of St. Helier – out of the
Island.

Sir Martin Le Quesne, Deputy of St. Saviour – out of the
Island.

Donald George Filleul, Deputy of St. Helier – out of the
Island.

Terence John Le Main, Deputy of St. Helier – out of the
Island.

Prayers.

Tribute to the late Deputy A.D. Le Brocq of St. John.

The Bailiff paid tribute to the late Deputy Alfred Durell
Le Brocq of St. John and the States observed one minute's silence
as a mark of respect.

Tribute to Mr. H.W. Maillard – former member of the House.

The Bailiff paid tribute to the late Mr. Hedley William
Maillard, a former Deputy of St. Lawrence and Senator. The States
observed one minute's silence as a mark of respect.

Welcome to visiting Parliamentary Officers.

The Bailiff welcomed to the Island four Parliamentary Officers from Commonwealth Countries.

Subordinate legislation tabled.

The following enactments were laid before the States, namely –

1. Royal Court (Amendment) Rules, 1983. R & O 7179.
2. Road Traffic (Saint Ouen) (Amendment No. 4) (Jersey) Order, 1983. R & O 7180.
3. Public Finances (General) (Amendment No. 11) (Jersey) Rules, 1983. R & O 7181.
4. Health Insurance (Pharmaceutical Benefit) (Prescribed List) (Amendment No. 14) (Jersey) Order, 1983. R & O 7182.

Legislation Committee – appointment of member.

THE STATES appointed Senator Richard Joseph Shenton as a member of the Legislation Committee in the place of the former Deputy of St. Saviour, Mr. Brian Edward Troy.

Gambling Control Committee – appointment of member.

THE STATES appointed Deputy Margaret Sylvia Rose Beadle of St. Brelade as a member of the Gambling Control Committee in the place of the late Deputy Alfred Durell Le Brocq of St. John.

Prison Board – vacancy in Presidency.

In accordance with Article 28(3) of the States of Jersey Law, 1966, the Bailiff gave notice that there was a vacancy in the office of President of the Prison Board consequent upon the death of Deputy A.D. Le Brocq.

Prison Board – appointment of President and Members.

THE STATES, on the proposition of Senator John William Ellis, appointed Deputy Edgar John Becquet of Trinity as President of the Prison Board.

THE STATES, on the proposition of Deputy Becquet, appointed the following as members –

Senator John William Ellis
Senator Anne Baal
Connétable Leonard Geoffrey Downer of St. Brelade
Connétable Edward John Le Brocq of St. Peter
Deputy Jack Roche of St. Saviour
Deputy Michael Adam Wavell of St. Helier

States of Jersey Fire Service Report 1982.

The Defence Committee by Act dated 5th May, 1983, presented to the States a Report on the administration of the States of Jersey Fire Service for the year 1982.

THE STATES ordered that the said Report be printed and distributed.

Matters noted – land transactions.

THE STATES noted Acts of the Finance and Economics Committee dated 4th and 18th May, 1983, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Housing Committee, the cession to the Parish of St. Helier of 29.62 square metres of land at Ann Place Mews, St. Helier, shown Red on Drawing No. 2724/2, required for road widening purposes;
- (b) as recommended by the Housing Committee, the entering into a deed of transaction with Hotel Metropole (Jersey) Limited which would grant the Committee the right of way at all times and for all purposes in order to go from the whole of the

development at 3/4 St. Clement's Road, to St. Clement's Road, and also the right to lay and maintain all main services in the said road subject to the Committee macadamizing the whole of the road, paying a just share of its maintenance and upkeep, making good any damage caused by the Committee to the adjoining properties or to the road itself, to allow at all times access to the Granary and also to pay the Company's legal expenses;

- (c) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Miss Fiona Yvette McKenzie of 3, Devonia Cottages, Devonshire Place, St. Helier, required for States rental accommodation prior to future redevelopment, for a consideration of £27,000 for the realty on the basis of each party paying its own legal costs;
- (d) as recommended by the Public Works Committee, the leasing to Tableaux Arts Limited of the shop on the ground floor of 20, Charing Cross, St. Helier, for a period of one year from 25th April, 1983, at an annual rent of £4,000, the tenancy to be terminable at six months' notice;
- (e) as recommended by the Resources Recovery Board, the ceding, free of charge, by Jersey Coal Distributors Limited of the right of way over a 20 foot width of road owned by the Company in Bellozanne Valley and establishing the right of the Board to place, replace, repair and maintain all necessary services therein, the Company having agreed to the retention of windows in an existing building overlooking its property, subject to the Board's paying all legal costs involved and to re-establish and tarmac the roadway in question within six months of the date of passing of Contract and thereafter to meet 75 per cent of the cost of maintaining the said roadway;
- (f) as recommended by the Tourism Committee, the assignment from the Estate of the late Mrs. Kathleen Muriel Hart, née Glover, to Mrs. Carolyn Jane Le Main, née Le Tourneur, and Mrs. Shirley Edith Marjorie Le Tourneur, née Morris, of the balance of

the lease of Fist Tower Kiosk, for the period from the date of the signing of the assignment until 24th December, 1984, at an annual rent of £1,000.

Matters lodged.

The following subjects were lodged “au Greffe” –

1. **Replacement Airport Fire Service Foam Tender. P.74/83.**
Presented by the Harbours and Airport Committee.
2. **Air Traffic Control Equipment. P.75/83.**
Presented by the Harbours and Airport Committee.
3. **Draft Jersey Mutual Insurance Society, Incorporated (Alteration of Rules) (No. 4) (Jersey) Law, 198 . P.76/83.**
Presented by the Legislation Committee.
4. **Projet de Loi (198) sur la Cour pour le recouvrement de menus dettes. P.77/83.**
Presented by the Legislation Committee. The States decided to take this subject into consideration on 7th June, 1983.
5. **Draft Criminal Justice (Miscellaneous Provisions) (Jersey) Law, 198 . P.78/83.**
Presented by the Legislation Committee. The States decided to take this subject into consideration on 7th June, 1983.
6. **Haut de la Garenne and residential children’s homes. P.79/83.**
Presented by the Education Committee. The States decided to take this subject into consideration on 21st June, 1983.

The following subjects were lodged “au Greffe” on 10th May, 1983 –

1. **Draft Building Loans (Miscellaneous Provisions) (Amendment No. 17) (Jersey) Regulations, 198 . P.65/83.**
Presented by the Housing Committee. The States decided to take this subject into consideration at the present Sitting.
2. **Municipal 18-hole golf course. P.66/83.**
Presented by the Tourism Committee. The States decided to take this subject into consideration on 7th June, 1983.
3. **Artificial Insemination of Domestic Animals (Jersey) Law, 1952: amendment. P.67/83.**
Presented by the Agriculture and Fisheries Committee.
4. **Development proposals of the Housing Committee for 1984. P.68/83.**
Presented by the Housing Committee.

The following subjects were lodged "au Greffe" on 17th May, 1983 –

1. **St. Helier Traffic Plan: amendment. P.69/83.**
Presented by the Public Works Committee.
2. **Public Safety Zone: compensation on sale of properties. P.70/83.**
Presented by Deputy Michael Walter Bonn of St. Peter and referred to the Island Development and Harbours and Airport Committees.
3. **Public Safety Zone: compensation for development refusal. P.71/83.**
Presented by Deputy Michael Walter Bonn of St. Peter and referred to the Harbours and Airport Committee.
4. **Draft Trusts (Jersey) Law, 198 : amendments. P.72/83.**
Presented by Senator Reginald Robert Jeune.
5. **Importation of semen of pigs and other domestic animals other than cattle. P.73/83.**
Presented by the Agriculture and Fisheries Committee.

Temporary Development Permits. P.22/83 withdrawn.

THE STATES noted that Deputy Terence John Le Main of St. Helier had withdrawn the Proposition regarding temporary development permits (lodged on 22nd February, 1983 and referred to the Island Development Committee).

Artificial Insemination of Domestic Animals (Jersey) Law, 1952: amendment. P.67/83 withdrawn.

THE STATES noted that the Agriculture and Fisheries Committee had withdrawn the Proposition entitled the Artificial Insemination of Domestic Animals (Jersey) Law, 1952: amendment (lodged on 10th May, 1983) having lodged a revised Proposition on 17th May, 1983. (P.73/83).

Assessment of Rates. Questions and answers.

Senator Jane Patricia Sandeman asked John Philip Pirouet, Connétable of St. Ouen, in his capacity as Chairman of the Supervisory Committee, the following questions –

- “1. Have all Parishes completed their rating assessment so that the Finance and Economics Committee may recommend to the States that Schedule A of the Income Tax Law be abolished?
2. In view of the great increase of work on the Parish Assessment Committees, did the Supervisory Committee employ ‘competent persons’ as provided for in Article 8, paragraph 3 of the Parish Rate (Administration) (Jersey) Law, 1946?
3. Will the Supervisory Committee recommend that the Connétables interpret the word ‘poverty’ in Article 19, paragraph 2 of the Law to mean financial hardship?

4. What steps will the Supervisory Committee take to alleviate the intense anxiety felt particularly by many elderly people over their possible inability to meet their revised and as yet unknown rates demand?
5. Article 14, paragraphs 1 and 2 of the Law states –
 - ‘(1) Where the owner or occupier of any land, or the Connétable, is aggrieved by the incorrectness or the unfairness of any matter relating to that land in the draft list, he may lodge an objection with the Supervisory Committee at any time before the expiration of ten days from the day on which the draft list was first made available for inspection;
 - (2) A notice of objection shall be in the prescribed form and shall specify the grounds of objection.’

Will the Supervisory Committee extend this period for those parishes where the draft list has already been published on the grounds that many owners with a grievance were unaware of this statutory manner of appeal and were advised, or encouraged, by the Parish Authorities to make representation at the Parish Hall?”

The Connétable of St. Ouen replied as follows –

- “1. Article 12(3) of the Parish Rate (Administration) (Jersey) Law, 1946, requires assessment committees to complete their ‘draft lists’ not later than the thirty-first day of May in each year. To date, the assessment committees of 3 Parishes have delivered their ‘draft rate lists’ to the Connétables.
2. No. Article 8(3) of the Parish Rate (Administration) (Jersey) Law, 1946 provides only for the obtaining of advice and assistance of competent persons for the Supervisory Committee in the performance of its functions under the Law and not for assessment Committees.

3. The Supervisory Committee has been advised that the word 'poverty', as a matter of judicial definition, does not mean 'destitution', or even the borderline of destitution. 'Poverty' is a word of wide and somewhat indefinite import and extends to those who have small means and so have to 'go short'. The Connétables are advised to apply that interpretation to Article 19(2) of the Law.
4. Individual members of the Supervisory Committee and of assessment committees have already sought to re-assure many people and will continue to do so. Article 19(2) empowers the Connétables to reduce or remit the payment of rate due by any person on account of the poverty of such person. It is the intention of the Connétables to use that power and it is to be hoped that this further publicity given to that power will serve to alleviate any anxiety that may be felt, albeit I do not accept that there is 'intense' anxiety.
5. Those making a representation at the Parish Hall also have the facility of an objection form in order that they can thereafter file a formal objection if they so wish. The notices in the Jersey Gazette inviting inspection of the draft lists are in standard form and include the following: 'Owners and occupiers of houses, buildings and lands who have objections to raise relating to their assessment are requested to notify in writing on or before (date) the Secretary of the Supervisory Committee, States Greffe, St. Helier, on the form provided for that purpose and which may be obtained at the Parish Hall. Members of the Assessment Committee will be in attendance at the Parish Hall to answer any questions relating to Parishioners' Assessments on the following days'. I cannot accept, therefore, that many owners with a grievance were unaware of the statutory right of appeal. Nevertheless, the Supervisory Committee has been advised that the time limit for lodging an objection can be regarded as directory rather than mandatory and it will be extended in any proper case."

Victor Hugo Site. Statement.

The President of the Housing Committee made a statement in the following terms –

“On the 22nd February, this year, when answering questions asked by Deputy A.J. Perkins of St. Clement, the former President of the Housing Committee informed this House that a study had been undertaken to determine the feasibility of developing the Victor Hugo Site for residential purposes.

The study showed that the site was capable of development at the relatively high density of 120 habitable rooms to the acre (about 53 per vergée). A sketch scheme providing 57 two-bedroomed flats and 53 one-bedroomed flats received the tacit approval of the Island Development Committee.

A financial appraisal of the development showed that the one-bedroomed flats would have cost £35,000 each and the two-bedroomed flats £40,000 each, including professional fees and interest charges. There were ten larger two-bedroomed flats which would have cost £47,000. The foregoing figures do not include the cost of the site. It will be evident that if the flats were to be sold on long leaseholds to States Loan applicants, then the cost of the site would have to be written off at public expense. If the site were to be used for rental housing, then the overall costs would be similar to those for other commercial sites which have been developed for that purpose.

This House has approved a policy of acquiring commercial sites for residential development in order to reduce the need to rezone further open land. A number of sites have been acquired at prices ranging from £8.00 to £10.00 per square foot depending upon their alternative commercial use value. Having noted that a similar development at the ‘out of town’ density of 65 habitable rooms to the acre (about 28 per vergée) would require the rezoning of ten vergées of open land, the Committee requested the Housing Officer and the Economic Adviser to discuss the possible acquisition of the Victor Hugo Site with the Chairman of Ann Street Brewery.

Mr. Steven indicated that his Board would consider a realistic and firm offer for the site, subject to early settlement. He considered that a realistic offer would be £12.00 per square foot which represents approximately £1.3M.

Having considered the prices paid for other commercial sites, and having regard to the high amenity value of the Victor Hugo Site, the Committee decided to make an offer of £1M., which represents just under £9.50 per square foot. However, having noted the Brewery's requirement for early settlement, the Committee decided that it could only make such an offer with the support of both the Island Development Committee and Finance and Economics Committees. The Island Development Committee supported the proposal but, the Finance and Economics Committee expressed the opinion that the site would have to be used for rental accommodation as the price at which the units could be sold under the Loans Scheme would be substantially below cost and, in view of the prime position of the site, the units would subsequently be sold at considerable profit; that the renting of accommodation would be at a continuing substantial cost and that the economic interests of the Island best be served by the site being used either for self-catering accommodation or for an Hotel. For these reasons the Committee could not support the proposal of the Housing Committee that the Victor Hugo Site should be acquired for housing development.

In the circumstances, my Committee has decided not to make an offer for the site."

Potato Blight Statement.

The Vice-President of the Agriculture and Fisheries Committee made a statement in the following terms –

“As a result of the appalling weather conditions so far this season, Jersey's potato growers have been more vigilant than ever in their campaign against potato blight. The Department's field inspectors have been examining every crop thoroughly and in the relatively few cases where blight has been identified, the disease has been

destroyed immediately. Co-operation between the Island's potato growers and the Department has been excellent. Growers have been spraying far more diligently and under worse ground conditions than in previous years and their efforts have been tremendous despite the difficulties. Their responsible attitude and determined efforts to prevent the development of blight are to be congratulated.

This season's potato crop is looking good and is still healthy. Providing weather conditions are favourable there is every reason to expect the crop to remain healthy. Nevertheless there is no room for complacency and growers should continue to apply their blight sprays whenever necessary."

Airport accommodation – lease to British Airways.

THE STATES, adopting a Proposition of the Harbours and Airport Committee, approved the lease to British Airways of accommodation at Jersey Airport for a period of 3 years with effect from 1st January, 1983, as follows –

- (a) 1,008 square feet of office accommodation in the Terminal Building at a rate of £5 a square foot a year, yielding an annual rent of £5,040;
- (b) 1,288.5 square feet of operations/traffic accommodation in the Terminal Building at a rate of £5 a square foot a year, yielding an annual rent of £6,442.50;
- (c) 520 square feet of passenger baggage storage accommodation and 260 square feet of loaders accommodation at a rate of £4.50 a square foot a year and £5 a square foot a year, respectively, yielding a total annual rent of £3,640.
(The total annual rent of the abovementioned accommodation would be £15,122.50.)
- (d) authorised the Greffier of the States to sign the necessary agreement;
- (e) authorised the Treasurer of the States to receive the rent as it became due.

Pomona Road, St. Helier – purchase of No. 7.

THE STATES, adopting a Proposition of the Public Health Committee, referred to their Act of 3rd November, 1981, in which they approved, in principle, the development of the health care services in the Island for the mentally ill, as outlined in Section III of the Report of the Public Health Committee dated 29th September, 1981, and –

- (a) approved the purchase on behalf of the Public Health Committee of No. 7 Pomona Road, St. Helier from Mrs. Roselle Anna Godfray, née Guillet, for a consideration of £54,000 for the realty, on the basis of each party paying their own legal expenses, for use as a family group home;
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contract;
- (c) authorised the Treasurer of the States to make the appropriate payment from the Island Development Committee's Capital Vote of Credit No. C. 0904 'Acquisition of Land – Major Reserve'.

Agricultural Loans and Guarantees Advisory Board – appointment of member.

THE STATES, adopting a Proposition of the Agriculture and Fisheries Committee, approved the appointment of Mrs. Anne Mary Norman, née de Ste. Croix, as a member of the Agricultural Loans and Guarantees Advisory Board.

Providence Street, St. Helier – sale of No. 32 to Clements Motors Ltd.

THE STATES, adopting a Proposition of the Island Development Committee –

- (a) approved the sale of No. 32 Providence Street, St. Helier comprising of ground floor garage accommodation with six rooms at first floor level and six attic rooms to Clements Motors Limited for

a consideration of £45,000, each party to pay its own legal costs;

- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contract in the matter;
- (c) authorised the Treasurer of the States to credit Vote No. C0001 (Capital Receipts) with the amount received from the sale.

Park Estate, St. Brelade: extension of sewer.

THE STATES, adopting a Proposition of the Resources Recovery Board –

- (a) approved Drawing No. WS. 630 showing the work to be carried out in connexion with the extension of the foul sewer to serve the Park Estate area, St. Brelade;
- (b) authorised the Greffier of the States to sign the said Drawing on behalf of the States.

New Airport Fire Station.

THE STATES, adopting a Proposition of the Harbours and Airport Committee, approved in principle, the proposal of that Committee to construct a new Fire Station in 1984 on the north side of No. 4 Hangar at the Airport to replace the existing Airport Fire Service Accommodation.

Jersey College for Girls: new science facilities.

THE STATES, adopting a Proposition of the Education Committee, approved in principle the provision of new science facilities at the Jersey College for Girls.

Building Loans (Miscellaneous Provisions) (Amendment No. 17) (Jersey) Regulations, 1983.

THE STATES, in pursuance of Article 15 of the Building Loans (Jersey) Law, 1950, as amended, made Regulations entitled the Building Loans (Miscellaneous Provisions) (Amendment No. 17) (Jersey) Regulations, 1983.

Debate *in camera*.

The Bailiff, in accordance with Article 3(2) of the Public Finances (Administration) (Jersey) Law, 1967, and in accordance with Standing Order No. 46(2), ordered the withdrawal of Strangers and the closing of the doors of the Chamber in order that the appointment of Mr. Leslie May, F.C.C.A., as Treasurer of the States be debated *in camera*.

Appointment of Treasurer of the States.

THE STATES, having deliberated thereon *in camera*, proceeded to vote in public assembly by ballot and approved the appointment of Mr. Leslie May, F.C.C.A., as Treasurer of the States with effect from 1st January, 1984, in accordance with Article 3(2) of the Public Finances (Administration) (Jersey) Law, 1967.

THE STATES rose at 12.10 p.m.

R.S. GRAY,

Deputy Greffier of the States.