



THE STATES assembled on Tuesday,
16th October, 1984 at 10.15 a.m. under
the Presidency of the Deputy Bailiff,
Peter Leslie Crill, Esquire, C.B.E.

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 Ralph Vibert – out of the Island.

Senator John Le Marquand – out of the Island.

Senator Bernard Thomas Binnington – out of the Island.

Senator John Stephen Rothwell – out of the Island.

Jean Amy Le Maistre, Deputy of St. Helier – out of the Island.

John Le Gallais, Deputy of St. Saviour – out of the Island.

Hendricus Adolphus Vandervliet, Deputy of St. Lawrence –
out of the Island.

John Philip Farley, Deputy of St. Helier – out of the Island.

Bertram Manning Le Maistre, Deputy of St. Mary – ill.

Mervyn Renouf Billot, Deputy of St. Saviour – out of the
Island.

Prayers.

The Very Reverend T.A. Goss, Dean of Jersey.

The President of the Assembly referred to the impending
retirement of The Very Reverend T.A. Goss, Dean of Jersey,

next year and thanked him for his services to the Assembly as its Chaplain and as a Member.

Island Development Committee – appointment of President.

There were nominated for appointment as President of the Island Development Committee –

Senator Richard Joseph Shenton, proposed by Senator Anne Baal.

Senator Pierre François Horsfall, proposed by Senator Richard Joseph Shenton.

Deputy Norman Stuart Le Brocq of St. Helier, proposed by Deputy Michael Walter Bonn of St. Peter.

THE STATES then proceeded to a secret ballot, having noted that Senator Shenton declined to accept nomination for the Presidency.

The Deputy Bailiff declared that Deputy Le Brocq had been elected President of the Island Development Committee.

The result of the ballot was as follows –

Senator Horsfall	16 votes
Deputy Le Brocq	27 votes.

Agriculture and Fisheries Committee Policy Report. R.C.23.

The Agriculture and Fisheries Committee by Act dated 26th September, 1984, presented to the States a Policy Report.

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

Matters lodged.

The following subject was lodged “au Greffe” –

Self-catering Premises: Tourism Committee Policy and Standards. P.144/84.

Presented by the Tourism Committee.

Payment of Death Grant. P.117/84.

THE STATES noted that Senator Richard Joseph Shenton had withdrawn his Proposition regarding the payment of a death grant (lodged on 4th September, 1984).

Public Works Committee – Public Buildings: Supplementary vote of credit. P.140/84.

THE STATES acceded to the request of the President of the Public Works Committee that consideration of the Proposition regarding a supplementary vote of credit for public buildings (lodged on 25th September, 1984) be deferred from the present Sitting to a later date.

Establishment Committee – States Personnel Department: supplementary vote of credit. P.142/84.

THE STATES acceded to the request of the President of the Establishment Committee that consideration of the Proposition regarding a supplementary vote of credit for the States Personnel Department (lodged on 25th September, 1984) be deferred from the present Sitting to a later date.

Visit of Soviet Ambassador. Questions and answers.

Deputy Terence John Le Main of St. Helier asked Senator John Clark Averty, Vice-President of the Finance and Economics Committee, the following questions –

“In connexion with the recent visit to Jersey of the Soviet Ambassador, will the President please inform the House –

1. Was this purely a private visit and did Mr. Popov pay his own expenses?
2. What was the reason for his visit to Jersey?
3. Who attended the dinner in honour of his visit and what did it cost the Island?

4. Can the House be given the details of what it has cost in the last three years, in respect of Special Branch Police man-hours, to police and check foreign diplomats to our Island?”.

The Vice-President of the Finance and Economics Committee replied as follows –

- “1. His Excellency Mr. Viktor Popov is the Soviet
&2 Ambassador accredited to the Court of St. James and his area of responsibility includes Jersey.

The Insular Authorities were consulted about Mr. Popov’s wish to pay a private visit with his wife to the Island, about which he had apparently heard a great deal, not least I understand because of the links between Jersey and Moscow Zoos. Neither the travelling nor hotel expenses were paid for by the States.

Government House arranged a programme for his visit, which included courtesy calls on His Excellency the Lieutenant Governor and the Bailiff and visits to the Zoo and places of historic interest including the Castles and La Hougue Bie.

3. The Bailiff hosted a small dinner party, at which were present the Presidents of the Finance and Economics, Defence, Public Health, Public Works, Tourism Island Development and Housing Committees together with the Dean and the Greffier. Some wives were also present. The bill for the dinner has not yet been received but is expected to be about £300.
4. I will ask the President of the Defence Committee to reply to this question.”.

The President of the Defence Committee replied to question 4 as follows –

“I presume that by the term ‘to police and check foreign diplomats to our Island’ the questioner intends to refer

to protection of foreign diplomats during visits to the Island and it is on that basis that I answer his question.

In the United Kingdom and in Jersey, Special Branch Operations are undertaken on a continuing basis. The recent visit of the Soviet Ambassador was of a private nature and no request was received for Special Branch protection to be provided. The visit did not, therefore, involve the States of Jersey Police in any cost.

The production of accurate details of the costs in the last three years of the protection afforded to visiting diplomats would involve considerable research and consequent expense; I am not satisfied that the information would be of such value as to justify the work and expense involved. I do not propose, therefore, to ask the Police to research the information unless requested to do so by a resolution of this House. If the questioner wishes to pursue the matter he should move the appropriate proposition.”.

**Use of private dwelling accommodation as self-catering accommodation or for the accommodation of lodgers or guests.
Questions and answers.**

Senator Pierre François Horsfall asked Deputy David John de la Haye of St. Ouen, Vice-President of the Housing Committee, the following questions –

- “1. The Statement which was intended to clarify the self-catering/lodger situation contained an admission that the present and previous Housing Committees have been issuing advice that does not accord with the Attorney General’s recent pronouncement regarding private dwelling accommodation used as self-catering accommodation, granny flats, etc.

Is the President aware that many people have taken that advice in good faith and have made decisions and financial commitments on the basis of the advice offered?

Does the President not consider that this is a special situation requiring very special measures which can

only amount to an amnesty for those who find themselves in serious difficulties through no fault of their own?

2. As the Housing Committee prepared the Law in question, the Housing Committee presented it to the States, the Housing Committee had the task of enforcing that Law and of giving the public advice regarding that Law, it is reasonable to assume that the Committee knew what it intended. The Attorney General's recently expressed opinion is contrary to that previously held by the Committee.

Is it possible for the Committee to obtain a definitive ruling from the Royal Court in a manner that does not depend on a member of the public being taken to Court?"

The Vice-President of the Housing Committee replied as follows –

“Senator Horsfall has already been advised that I am unable to give any meaningful answers to his questions today. Consultations have taken place with the Attorney General and the Committee will be meeting on Friday to give the matters further consideration. In the meantime, the Department is receiving complaints from people who are being turned out of lodgings which are quite lawful. I would ask property-owners to seek advice from the Department before taking any action. I repeat that were are not looking for prosecutions, we simply want to clarify the legal position for interested parties.”

Letting of accommodation in private sector – key money and restrictions on families with young children. Questions and answers.

Senator Richard Joseph Shenton asked Deputy David John de la Haye of St. Ouen, Vice-President of the Housing Committee, the following questions –

“Now that the Housing Committee is considering matters relating to the letting of accommodation in the private

sector, will the President state whether his Committee is prepared to consider the possibility of legislation to deal with –

- (a) demands for the payment of large sums by way of key money?
- (b) the problem arising from the restrictions imposed by some landlords on couples with young children when seeking rented accommodation?”.

The Vice-President of the Housing Committee replied as follows –

“(a) Key money is a symptom of the excess of demand over supply in the leasehold market. It is nothing new, it has existed for many, many years. It usually takes the form of a grossly inflated payment for carpets, curtains and, sometimes, furniture. This premium can be up to £2,000 or £3,000. In almost all the cases which have been brought to the attention of the Department, the payment of key money has not been attributable to unscrupulous landlords; it is a payment which has passed from the ingoing to the outgoing tenant. It may have been paid through the landlord or agent but, in most cases, it was passed on to the outgoing tenant. Usually, the outgoing tenant has been seeking to recoup the premium which he had to pay when he took over the accommodation. It is known that there are literally hundreds, if not thousands, of existing tenants who have paid key money. Cases arise where applicants for States Loans have most of their deposit tied up in key money.

It would be possible to legislate against key money but such legislation would be almost impossible to police in a situation in which, on the one hand, a large number of tenants would be seeking to recoup their savings and, on the other hand, a large number of prospective tenants would be willing and able to pay a premium to obtain accommodation. In addition, if to demand key money were now to be

made illegal, many tenants would lose their life savings.

The Committee is, however, as part of its Policy Review, considering proposals to lessen the degree of imbalance between supply and demand in the Housing market. This is the only practical and effective way in which the problem can be overcome.

- (b) Senator Shenton's second question relates to landlords who refuse to let accommodation to families with children and, in practice, this generally means families with young children. There are several reasons for this. First and foremost, families with young children generally create more nuisance than people without young children and there are sufficient people without young children to take up the accommodation which is available. Secondly, some accommodation is not suitable for families with young children and, thirdly, many families with young children seek to lease accommodation which is too small for their requirements because they cannot afford to rent anything larger. Some landlords are seeking to reduce the child population in larger blocks of flats because of the social problems which have been experienced. Indeed, the Committee is doing so, itself, on one of its own estates, until a long-term solution to the problem can be found. Anti-discrimination legislation would not solve the problem because it would be absolutely impossible to administer. In addition, the more you interfere with the rights of a landlord, the less likely he is to continue to make rented accommodation available. One only has to look at the dramatic reduction in the private rented housing stock in the United Kingdom during the past 20 years."

Senator R.J. Shenton – Proposition regarding payment of death grant. Personal statement.

Senator Richard Joseph Shenton made a statement in the following terms –

- “1. On 4th September, 1984, I lodged a Proposition asking the States whether they were of the opinion to request the Social Security Committee to present to the States a Report on the possibility of paying a Death Grant in respect of certain elderly people, together with an explanatory note. The President of the Social Security Committee has since been in touch with me concerning this Proposition. He has advised me that his Committee is sympathetic to my proposals but that the grant could not and should not be funded from the Social Security Fund to which such people would never have contributed.
2. The Social Security Committee has undertaken itself to approach the Finance and Economics Committee to obtain funds to pay a death grant in respect of the persons mentioned in my Proposition. The Committee very much hopes that the Finance and Economics Committee will be prepared to agree to this proposal. However, should that Committee feel unable to do so, the Social Security Committee will bring the matter before the States Assembly for them to decide.
3. The Committee has also advised me that it is prepared to look at certain other situations whereby a death grant might be payable in respect of persons who, for certain reasons, would never have contributed to the Social Security Scheme.
4. In view of this helpful and constructive approach by the Social Security Committee, I am happy to withdraw my Proposition.”

Aid to the Dairy Industry.

THE STATES, adopting a Proposition of the Agriculture and Fisheries Committee –

- (1) approved the payment to producers of a subsidy of 30p a gallon of milk delivered to the Jersey Milk Marketing Board Dairy in excess of

2,150,000 gallons, subject to a maximum total delivery annually to the Dairy of 2.9 million gallons;

- (2) approved the implementation of financial aid schemes to encourage farm and herd improvements, as follows –
 - (a) replacing the incentive to producers whose animals produced a butterfat content of 5.2 per cent or more, approved by the States on 15th February, 1983, by a calving index and butterfat incentive scheme involving payment to producers of a financial incentive in respect of qualifying animals to improve the conception rate, and incorporating a butterfat incentive payment related to the total yield of fat in the lactation provided that the fat per cent does not fall below 4.5 per cent;
 - (b) continuation of the grassland improvement scheme approved by the States on 15th February, 1983, to encourage better grassland management, improved drainage, fencing and watering of animals;
 - (c) an export support scheme, to operate for a period of two years only, involving the payment to exporters of £100 per animal in respect of cattle over one year of age which are exported, and on expenditure of £10,000 in each of the two years on advertising and other forms of publicity to encourage exports;
 - (d) a scheme for herd improvement for bull selection and proving;
- (3) agreed that the export support scheme should be implemented immediately on approval and that other proposals, if approved, should be implemented from 1st January, 1985.

Health Insurance (Amendment No. 6) (Jersey) Law, 1984.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Health Insurance (Amendment No. 6) (Jersey) Law, 1984.

Balmain Nurseries, St. Helier: approval of drawings.

THE STATES, adopting a Proposition of the Housing Committee –

- (1) approved Drawings Nos. 2769/14, 27, 28, 30 – 33, 35, 37, 42 – 49, 51, 54, 55, 57, 59 – 61, 68, 70, 71, 74 – 84, 87, 89 – 91, 98, 105, 108, 111 – 113, 115 – 122, 126, 129 – 132, 138, 140 – 142 showing the construction of a mixed housing development of 67 dwellings, comprising houses, flats and maisonettes, on the site at Balmain Nurseries, St. Helier;
- (2) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

Bingham Court, St. Helier: Phase II – approval of drawings.

THE STATES commenced consideration of a Proposition of the Housing Committee regarding the approval of drawings for the construction of accommodation in Phase II at Bingham Court, St. Helier (P.138/84 – lodged on 25th September, 1984). After discussion and on the Proposition of Deputy Sir Martin Le Quesne of St. Saviour, the Proposition was referred back to the Committee.

Annulment of Motor Vehicles (Construction and use) (Amendment No. 14) (Jersey) Order, 1984.

THE STATES commenced consideration of a Proposition of Deputy Maurice Clement Buesnel of St. Helier to adopt an Act annulling the Motor Vehicles (Construction and Use) (Amendment No. 14) (Jersey) Order, 1984 (P.110/84 – lodged on 7th August, 1984). After some discussion, further consideration of the Proposition was deferred to a later date.

Maincrop Potato Marketing Scheme (Amendment No. 5) (Jersey) Act, 1984.

THE STATES, in pursuance of paragraph (6) of Article 2 of the Agricultural Marketing (Jersey) Laws 1953 to 1983, as applied by paragraph (2) of Article 6 of the said Laws, made an Act entitled the Maincrop Potato Marketing Scheme (Amendment No. 5) (Jersey) Act, 1984).

Gambling (Amendment No. 2) (Jersey) Law, 1984.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Gambling (Amendment No. 2) (Jersey) Law, 1984.

Agriculture and Fisheries Committee – Administration. Deferred Supply.

THE STATES, adopting a Proposition of the Finance and Economics Committee, acceded to the request for the following supplementary vote of credit to be voted out of the General Reserve –

Agriculture and Fisheries Committee

Establishment (4105) £9,500.

Island Development Committee – appointment of members.

THE STATES, on the proposition of Deputy Norman Stuart Le Brocq of St. Helier, President of the Island Development Committee, appointed the following as members –

Connétable Edward John Le Brocq of St. Peter
 Deputy Philip George Mourant of St. Helier
 Deputy Anthony John Perkins of St. Clement
 Deputy Sir Martin Le Quesne of St. Saviour
 Deputy Helen Baker of St. Martin
 Deputy Margaret Sylvia Rose Beadle of St. Brelade.

THE STATES rose at 12.50 p.m.

R.S. GRAY,

Deputy Greffier of the States.