



**THE STATES assembled on Tuesday,
3rd December, 1985 at 10.15 a.m. under
the Presidency of the Bailiff,
Sir Frank Ereaut.**

His Excellency The Lieutenant Governor,
Admiral Sir William Pillar, G.B.E., K.C.B.,
was present.

All members were present with the exception of –

Senator Jane Patricia Sandeman – ill.

Prayers

Subordinate legislation tabled.

The following enactments were laid before the States, namely –

1. **Road Traffic (Saint Ouen) (Amendment No. 7) (Jersey) Order, 1985. R & O 7444.**
2. **Road Traffic (Saint Clement) (Amendment No. 8) (Jersey) Order, 1985. R & O 7445.**
3. **Telecommunications (Telephones) (Amendment No. 13) (Jersey) Order, 1985. R & O 7446.**

Statistical Digest.

The Finance and Economics Committee by Act dated 11th November, 1985, presented to the States the Statistical Digest.

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

Matters noted – land transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 25th November, 1985, 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 public of the Island being party to a contract with Mrs. Phyllis Mabel Doreen Saunders, née Egan, to agree the boundary between the Le Squez Housing Development and her property, Cosy Nook, Eureka Avenue, St. Clement;
- (b) as recommended by the Public Works Committee –
 - (i) to the ceding by L.T. Properties Limited, free of charge, to the public of the Island, of a triangular area of land lying to the north of 67, Bath Street, St. Helier, and measuring 160 square feet, this area to be maintained for a period of 75 years free of any permanent form of building development or structure, subject to the right of the public of the Island to lay services and to install such minor items of civic equipment as might from time to time be required;
 - (ii) the passing of a “Contrat de Bornement” with L.T. Properties Limited to agree the boundary line between the property belonging to the public of the Island, being the site of 67, Bath Street, St. Helier (now demolished) and the property of L.T. Properties Limited, being the site of 1, Phillips Street, St. Helier (now demolished) with L.T. Properties Limited being responsible for the payment of all costs involved in the transaction.

Welfare Payments: Connétables' discretion. P.121/85.

THE STATES acceded to the request of Senator Richard Joseph Shenton that the Proposition regarding Connétables' discretion in relation to Welfare Payments (lodged on 15th October, 1985) be considered on 10th December, 1985.

Draft European Communities (Spanish and Portuguese Accession) (Jersey) Regulations, 198 . P.149/85.

THE STATES acceded to the request of the President of the Constitution Committee that the draft European Communities (Spanish and Portuguese Accession) (Jersey) Regulations, 198 (lodged on 26th November, 1985) be considered on 10th December, 1985.

Le Marais Estate, St. Clement: Petition.

Deputy Leonard Norman of St. Clement informed the House that he was in possession of a Petition, on behalf of the residents of Le Marais Estate, other residents of the Parish of St. Clement and others, which prayed that no further dwellings be built or otherwise provided at Le Marais Estate, St. Clement.

The States agreed that the Petition should be forwarded to the Housing Committee.

Anti-social industries – move away from town area. Questions and answers.

Senator Richard Joseph Shenton asked the Connétable of St. John, President of the Island Development Committee, the following questions –

- “1. In view of the recent purchase of Le Brun's Bakery site, would the President advise the House whether other areas in the town of St. Helier are being considered for similar purchase?”

2. In view of the fact that the States have agreed to the use of public monies to subsidise the move of anti-social industries away from the town area, would this not be the time to look at premises used for the garaging of coaches, box making, and general warehousing, all of which are detrimental to the surrounding neighbourhood?"

The President of the Island Development Committee replied as follows –

- “1. Le Brun’s Bakery is a unique case. The Brighton Road premises of that company have, in the Committee’s view, an extremely disturbing impact on a large number of residential properties – probably more than any other ‘industrial’ concern in the Island. Furthermore, the company’s land requirement, some 100,000 square feet could not easily be met elsewhere in the Island without zoning open land specifically for the purpose. The availability of the RCA premises at Longueville, on a trading estate at a good distribution point with adequate land available, represented an opportunity that, in my Committee’s view, could not be missed.

The Committee is not, however, considering the acquisition of any other such sites other than the relocation, in the fullness of time, of the Royal Jersey Agricultural and Horticultural Society from Springfield and the Jersey Society for the Prevention of Cruelty to Animals from the Animals’ Shelter.

2. When it considered the Key Issues of the Island Plan in 1984, the States agreed to endorse the principle of encouraging, whether by inducement or compulsion, the relocation of incompatible industries in the town so that the sites which they currently occupy could be acquired and developed primarily for States’ rental housing.

My Committee, and indeed Deputy Le Brocq's Committee before, has taken this endorsement as terms of reference in preparing Volume II of the Island Plan which will bring forward specific proposals. Those types of industry to which the Senator refers have already been identified as 'bad neighbours', where relevant, and the Committee will seek to secure their relocation. The relocation of industries is more often than not in the interests of the company as much as the public and it will rarely be necessary to make financial inducements. Indeed, many of the companies involved have already approached the Committee for sites.

Clearly, however, the rate at which such companies can be relocated depends on the availability of alternative industrial sites on which to relocate them. The current availability of buildings or sites for industrial use is extremely limited, as I am sure any company that has sought to relocate will testify. My Committee, as part of the Island Plan, will make specific proposals for industrial development and priority will be given to such firms in allocating any sites that are administered by the Committee.

Land has already been earmarked at La Collette and the Rue des Prés Trading Estate on which to relocate specific 'bad neighbour' industries, but in the former case the release of that land will be delayed by the construction of the new fish quay and roll-on, roll-off harbour, as it will be needed for the contractors working on these schemes."

Goose Green Marsh – use as Sports Centre. Question and answer.

Senator Richard Joseph Shenton asked the Connétable of St. John, President of the Island Development Committee, the following question –

“Would the President clarify the position with regard to the suggested use of Goose Green Marsh as a sports centre?”

The President of the Island Development Committee replied as follows –

“The position is quite straightforward. The House is aware that the Island Development Committee will recommend in the Island Plan that Springfield be rezoned and acquired by the States to provide much needed housing accommodation and open space. If that proposal is accepted then alternative land will have to be made available not only to relocate the Royal Jersey Agricultural and Horticultural Society but also the Island’s premier football facility. In addition, other recreational needs have become apparent during our Island Plan studies.

The area to the east of the Perquage at Bel Royal (not Goose Green Marsh, which is the general description for that area to the west) is one of several options currently being studied by the Planning Department as sites on which to provide new sports and recreational facilities. I would go so far as to say that it is at present the Committee’s favoured option. However, certain technical studies, consultation with owners of the land involved, the Parish, and States’ Committees with an interest in the matter, have yet to be undertaken, and therefore my Committee will not be publishing proposals for the time being.”

La Collette parking – charges. Question and answer.

Senator Richard Joesph Shenton asked Deputy Donald George Filleul of St. Helier, President of the Public Works Committee, the following question –

“Would the President bring a Report and Proposition to the House on La Collette parking before he institutes any charges?”

The President of the Public Works Committee replied as follows –

“The Committee intends to provide a Park and Ride service at La Collette during the 1986 summer season but does not yet know exactly what space will be available, nor whether a rental will be demanded by the administering Committees.

It does not appear to the Committee that the taxpayer should subsidise the free provision of this facility, or other similar ones which may become available, for the especial benefit of motorists who find it convenient to use them, and it is envisaged that a small charge, calculated to do no more than break even on whatever costs materialise, would be perfectly acceptable to all concerned.

The Committee did not intend taking up the time of the House to consider this principle which it believed to be entirely within its competence to judge. If, however, it is apparent that, in the light of the Committee’s comments in this Answer, the House wishes to debate the matter in due course, the Committee will not be unwilling to present a suitable projet when the financial situation is clear.”

Snow Hill – bus shelter. Question and answer.

Senator Richard Joseph Shenton asked Deputy Donald George Filleul of St. Helier, President of the Public Works Committee, the following question –

“Would the President consider erecting a bus shelter at Snow Hill in order that the elderly may have some protection during the winter months?”

The President of the Public Works Committee replied as follows –

“Following upon the deliberations of a Defence Committee Working Party of which the Senator was a member, responsibility for the provision of bus

shelters was clearly placed in the hands of the Parochial Authorities.

There has been discussion between the Public Works Committee, the Fort Regent Development Committee, the Defence Committee and the Parish of St. Helier on the Snow Hill site and I understand that the Parish is submitting a scheme to the Island Development Committee.”

**Post of Chief Executive Officer, States Personnel Department.
Questions and answers.**

Senator Richard Joseph Shenton asked Deputy Sir Martin Le Quesne of St. Saviour, President of the Establishment Committee, the following questions –

“Will the President inform the House –

1. how the circular giving notice of the vacancy for a Chief Executive Officer, States Personnel Department, was worded;
2. why there were no applications from civil servants already employed in the Personnel Department;
3. whether it is correct that the wording of the circular was designed to limit applications;
4. whether the Committee has decided to depart from the normal policy of open competition and to limit the opportunities for appointment to senior posts in the civil service to officers on a select list?”

The President of the Establishment Committee replied as follows –

- “1. The circular read –

**‘CHIEF EXECUTIVE OFFICER, STATES
PERSONNEL DEPARTMENT**

Applications are invited for appointment to the post of Chief Executive Officer, States Personnel Department, at Grade AII.

The responsibilities of the post are to manage the Department in carrying out of the policies of the Establishment Committee for the use of manpower in the public sector, to advise that Committee on its policies and to act as personnel officer for senior staff.

A job description is available from the States Personnel Department (Mrs. K. Harris).

Applicants should have good management experience at the head of a States Department, and suitable personality for this senior position. However, directly relevant experience is not an essential requisite as it is envisaged that a suitable developmental programme will be arranged with the officer selected prior to his taking up his duties.

Applications on Form IA should be sent to the Chief Executive Officer, States Personnel Department, marked ‘to be opened by addressee only’ by 7th July, 1985.’

2. The decision whether or not to apply for this, or any other post, was wholly one for the individual concerned.
3. This vacancy notice, like all such notices, was written with the aim of giving as clear an indication as possible of the nature of the job and the kind of person sought to fill it, and to that extent only was designed to limit applications by helping prospective candidates to understand better whether or not they were qualified to do the job.

4. No.”

Island Plan – Part II. Questions and answers

Deputy Corrie Stein of Grouville asked the Connétable of St. John, President of the Island Development Committee, the following questions –

- “1. Will the President tell the House how soon he expects to present Part II of the Island Plan which it was originally intended to present to the States in the Spring of 1985?
2. In view of the delay, will the President give the House an assurance that, in order to eliminate the possible risk of property speculation in the meantime, he has taken steps to ensure that there will be no leakage of information contained in Part II in advance of its presentation to the States?”

The President of the Island Development Committee replied as follows –

- “1. The best estimate is that Volume II of the Island Plan will be lodged au Greffe in April 1986.

It may, however, be helpful to put this short reply into a wider setting.

Work on the new Island Plan had extended over two previous Committees, involving a period of about 3½ years, before my Committee took office in December 1984.

At that time, the preceding work had resulted in approval by the States of the survey stage (Volume I) in September 1983, and of certain Key Issues in June 1984. The previous Committee had commenced work on the real substance of the Plan (Volume II), i.e. the formulation of planning policies and other criteria that

need to serve this Island for many years to come, but much nevertheless remained to be done when my Committee took over in December 1984.

We had first of all to appraise the work done by the preceding Committees to be able to make well-informed judgements about what should be included in Volume II. We then had to go on to the very time-consuming and responsible task of making sure that the new policies, many of which will break fresh ground, are both comprehensive and well and truly prepared.

We look like being 10 or 11 months beyond what was a target rather than a specific commitment, of the previous Committee. My Committee, its consultants and its officers have worked long and hard even in holding to that extended period. I regard it as time well spent in doing justice to and complementing the work of our predecessors with a view to arriving at a Plan that needs to serve this Island well.

2. This is not the first time that a question of this type has been posed of an Island Development Committee. I therefore think it is relevant to remind the House of the reply made on the last occasion in September 1984 by the then President, Deputy Le Brocq.

To quote, he said –

‘A priori, my Committee believes in open government; and therefore encourages the officers to participate in such discussion. This is done on the strict assumption that if the land in question needs rezoning then the States are the final arbiter, and if not, the Committee itself makes any decision.

The Planning Department would be failing to perform a fundamental duty of any States Department if it did not advise the public in matters relating to any form of development.

It would be an impossible situation if the public could not readily obtain assistance or advice on planning proposals or possibilities, of whatever extent or wherever located.

Any land speculation that follows such discussions must take place at the risk of the speculator who may find the result to be far from his expectations.'

I can do little more than reinforce those words reflecting the attitude and experience of a previous Committee.

It is not a matter of 'leaks', but one where proper consultation must always take place with the owner and other directly-involved parties when engaged in land use planning.

Moreover, there is really no room for speculation, given procedures adopted in recent years regarding rezoning. Land is now zoned for a specific use, such as low-cost housing and compulsory purchase powers are sought at the same time as rezoning. If someone attempted to acquire land (assuming an owner would sell in the first place) and put an excessive price on it, the Island Development Committee would have no hesitation in using compulsory purchase powers so that an independent board could determine its proper price based on the use identified at the time of rezoning.

I do not believe that Deputy Stein has anything to fear about consultation taking place whenever appropriate, or about the existence of adequate safeguards should there be any attempts at speculation."

Budget 1986.

THE STATES commenced the consideration of the Budget for the financial year commencing 1st January, 1986, which in accordance with Article 16 of the Public Finances (Administration) (Jersey) Law, 1967, had been presented to the Assembly on 5th November, 1985, by the Finance and Economics Committee and comprised –

- (i) the estimate of the revenue expenditure and of the income of the Committees of the States;
- (ii) the estimate of the transactions of the Capital Fund; and
- (iii) the Report of the Finance and Economics Committee thereon.

THE STATES, having considered the estimates of the revenue expenditure and of the income of the various Committees, decided to allow the said estimates as detailed in the undermentioned pages of the Budget as follows –

Finance and Economics Committee – Pages 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11.

Defence Committee – Pages 12, 13, 14 and 15.

Public Works Committee – Pages 16, 17, 18, 19, 20 and 21.

Education Committee – Pages 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33.

Public Health Committee – Pages 34, 35, 36, 37, 38, 39, 40 and 41.

Resources Recovery Board – Pages 42 and 43.

Agriculture and Fisheries Committee – Pages 44, 45, 46 and 47.

Tourism Committee – Pages 46 and 47.

Etat Civil Committee – Pages 48 and 49.

Social Security Committee – Pages 48 and 49.

Cottage Homes Committee – Pages 48 and 49.

Establishment Committee – Pages 50 and 51.

Island Development Committee – Pages 52 and 53.

Elizabeth House Committee – Pages 52 and 53.

Housing Committee – Pages 54 and 55.

Prison Board – Pages 54 and 55.

Constitution Committee – Pages 54 and 55.

Fort Regent Development Committee – Pages 56 and 57.

Gambling Control Committee – Pages 58 and 59.

Legislation Committee – Pages 58 and 59.

Overseas Aid Committee – Pages 58 and 59.

Broadcasting Committee – Pages 58 and 59.

Industrial Relations Committee – Pages 60 and 61.

Harbours and Airport Committee – La Collette Reclamation Scheme – Pages 60 and 61.

Policy Advisory Committee – Pages 60 and 61.

TRADING COMMITTEES

Harbours and Airport Committee – Pages 62 and 63.

Telecommunications Board – Pages 62 and 63.

Committee for Postal Administration – Pages 62 and 63.

THE STATES, referring to the summary of income and revenue expenditure appearing on page 71 agreed the total revenue expenditure in the sum of £162,372,400, the total income from Committees in the sum of £82,549,300 and the amounts to be transferred to the General Reserve and Accumulated Reserve in the sums of £12,900,000 and £2,000,000 respectively.

THE STATES noted that on the basis of levels of taxation proposed by the Finance and Economics Committee the surplus on the Revenue account to be transferred to the Capital Fund amounted to £18,588,700.

THE STATES agreed to reduce the total loan commitment of the States by £1,000,000.

Having allowed for a balance of £29,587,000 to be brought forward at 1st January, 1986, and taking into account the capital repayments of £6,000,000 the States noted that there would be available in the Capital Fund the sum of £53,175,700. The States then proceeded to consider the estimates of Capital Expenditure recommended by the Finance and Economics Committee on pages 64 and 65 of the Budget and –

NON-TRADING COMMITTEES

The estimate of the capital expenditure of the Finance and Economics Committee appearing on page 64 of the Budget was allowed.

The estimate of the capital expenditure of the Defence Committee appearing on page 64 of the Budget was allowed.

The estimate of the capital expenditure of the Public Works Committee appearing on page 64 of the Budget was allowed.

The estimate of the capital expenditure of the Education Committee appearing on page 64 of the Budget was allowed.

The estimate of the capital expenditure of the Public Health Committee appearing on page 64 of the Budget was allowed.

The estimate of the capital expenditure of the Resources Recovery Board appearing on page 64 of the Budget was allowed.

The estimate of the capital expenditure of the Agriculture and Fisheries Committee appearing on page 64 of the Budget was allowed.

The estimate of the capital expenditure of the Island Development Committee appearing on page 65 of the Budget was allowed.

The estimate of the capital expenditure of the Housing Committee appearing on page 65 of the Budget was allowed.

The estimate of the capital expenditure of the Prison Board appearing on page 65 of the Budget was allowed.

The estimate of the capital expenditure of the Fort Regent Development Committee appearing on page 65 of the Budget was allowed.

TRADING COMMITTEES

The estimate of the capital expenditure of the Harbours and Airport Committee appearing on page 65 of the Budget was allowed.

The estimate of the capital expenditure of the Telecommunications Board appearing on page 65 of the Budget was allowed.

THE STATES having terminated the discussion on the capital estimates noted that the amount to be voted from the Capital Fund was £38,797,000.

THE STATES considered the estimates of income to be produced from taxation appearing on page 69 of the Budget and agreed the estimate as follows –

	£	£
Impôt on Spirits	4,270,000	
Impôt on Wines	2,000,000	
Impôt on Tobacco	2,190,000	
Impôt on Beer	1,090,000	
Impôt on Motor fuel	1,600,000	
Impôt on Goods imported into the Island (Tariff)	<u>350,000</u>	11,500,000
Income Tax and Corporation Tax		87,400,000
Motor Tax		<u>1,000,000</u>
		99,900,000

THE STATES adopted in Second Reading a Bill to continue certain expiring fiscal Laws; to prescribe the standard rate of income tax for the year nineteen hundred and eighty-six; to amend further the law relating to income tax in relation to personal allowances and reliefs, the additional allowance for widows and others in respect of children, and capital allowances in respect of plant and machinery and glasshouses; and to amend further the laws relating to wines and spirits duty, beer duty and tobacco duty.

The said Bill was lodged “au Greffe”.

THE STATES, in pursuance of Article 25 of the Public Finances (Administration) (Jersey) Law, 1967, have declared that the Bill to continue certain expiring fiscal Laws; to prescribe the standard rate of income tax for the year nineteen hundred and eighty-six; to amend the law relating to income tax in relation to further personal

allowances and reliefs, the reduced rate of tax for individuals; the additional allowance for widows and others in respect of children and capital allowances in respect of plant and machinery and glasshouses; and to amend further the laws relating to wines and spirits duty, beer duty and tobacco duty (which has this day been lodged "au Greffe"), shall immediately have effect as if it were a law passed by the States and sanctioned by Her Majesty in Council.

THE STATES having terminated the discussion on the Budget agreed the Summary of the Estimated Income and Revenue Expenditure for 1986 appearing on page 71 of the Budget as follows –

INCOME

	£
Committees	82,549,300
Taxation	<u>99,900,000</u>
	182,449,300

DEDUCT

	£
Revenue Expenditure	162,372,400
General Reserve	12,900,000
Accumulated Reserve	<u>2,000,000</u> <u>177,272,400</u>
Balance of Income over Revenue Expenditure and transfers to Reserves	5,176,900
Estimated Balance in hand at 31st December, 1985	<u>13,411,800</u>
Balance to be transferred to Capital Fund	<u>£18,588,700</u>

THE STATES further agreed the estimated transactions of the Capital Fund for 1986 as follows –

	£	
Balance brought forward		29,587,000
Capital repayments		6,000,000
Estimated balance on Revenue Account (as above)		<u>18,588,700</u>
		54,175,700
	£	
Capital expenditure	38,797,000	
Cancellation of loan sanction	<u>1,000,000</u>	<u>39,797,000</u>
Estimated balance in hand at 31st December, 1986		<u>£14,378,700</u>

THE STATES rose at 5.45 p.m.

E.J.M. POTTER,

Greffier of the States.