



**THE STATES assembled on Tuesday,
1st December, 1987 at 10.15 a.m. under
the Presidency of the Bailiff,
Sir Peter Crill, C.B.E.**

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 Terence John Le Main – out of the Island.

Jean Amy Le Maistre, Deputy of St. Helier – ill.

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

Prayers

Sir Robin Vanderfelt, K.B.E. – welcome.

The Bailiff welcomed Sir Robin Vanderfelt, K.B.E., the recently retired Secretary-General of the Commonwealth Parliamentary Association, who occupied a seat in the Bailiff's Gallery.

Subordinate legislation tabled.

The following enactment was laid before the States, namely –

**Amendment (No. 9) to the Tariff of Harbour and Light
Dues. R & O 7695.**

Refuge for battered wives (P.145/87): report. P.189/87.

The Elizabeth House Committee by Act dated 19th November, 1987, presented to the States a report relating to the setting up of a Refuge for battered wives.

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

Manpower Report for the half-year to 30th June, 1987. R.C.18.

The Establishment Committee by Act dated 16th November, 1987, presented to the States its Manpower Report for the half-year ended 30th June, 1987.

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

Matters noted – land transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 23rd November, 1987, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Harbours and Airport Committee, the leasing to the Royal National Lifeboat Institute of the Lifeboat Store, Albert Pier, St. Helier, for a period of three years, commencing 25th December, 1987, at an annual peppercorn rent of 5 pence;
- (b) as recommended by the Harbours and Airport Committee, the leasing to Channel Express Freight Limited of warehouse accommodation in the Freight Terminal Building (designated Lettings B115 and

- B116 each measuring 1,440 square feet) for a period of three years commencing 1st January, 1988 at a total annual rent of £7,948.80;
- (c) as recommended by the Harbours and Airport Committee, the leasing to Islandlink (Jersey) Limited (now trading under the name of LYNX) of warehouse accommodation in the Freight Terminal Building (designated Lettings B117 and B118 each measuring 1,440 square feet) for a period of three years commencing 1st January, 1988 at a total annual rent of £7,948.40;
 - (d) as recommended by the Public Works Committee, the leasing to Mr. Francis Arthur Rebindaine and Mrs. Una Frances Rebindaine, née Renouf, of Greenville Nursery (near Seven Oaks), St. Brelade, for a period of nine years commencing on 24th December, 1987, at an annual rent of £200, with a rent review after the third and sixth years;
 - (e) as recommended by the Public Works Committee, the sub-leasing to H. & H. Growers (1972) Limited of the Second Floor of Airways House, No. 12, Caledonia Place, St. Helier for a period of three years commencing 24th December, 1987 at an annual rent of £7,540;
 - (f) as recommended by the Public Works Committee, the purchase from Mrs. Margaret Norah Le Boutillier, née Perchard, of 603 square feet of land adjacent to Rue de la Hambie, St. Saviour, required for road improvement purposes, for a consideration of £603 with the Committee being responsible for accommodation works and the payment of all legal fees;
 - (g) as recommended by the Housing Committee, with the support of the Island Development Committee, the

purchase from Mr. Clyde Edmund James Florance and Mrs. Marguerite Patricia Florance, née Roberts, of 38, Columbus Street, St. Helier, required for the development of Le Brun's Bakery Site (Jane Sandeman Court) for a consideration of £48,000 with the Committee being responsible for the payment of all legal fees.

Matters noted – financial transaction.

THE STATES noted an Act of the Finance and Economics Committee dated 26th October, 1987, showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules, 1967, as amended, the Committee had noted that the Housing Committee had accepted the lowest of seven tenders, namely that submitted by Hacquoil and Cook Limited, in the sum of £1,131,357 in a contract period of 72 weeks for the construction of 24 one-bedroomed flats at Bingham Court Phase III, St. Helier.

Matters lodged.

The following subject was lodged "au Greffe" –

**Draft Family Allowances (Jersey) Regulations, 198 .
P.190/87.**

Presented by the Social Security Committee.

The following subject was lodged on 24th November, 1987 –

**Projet de Loi (198) (Amendement No. 5) réglant la
Procédure Criminelle. P.188/87.**

Presented by the Legislation Committee.

Passenger Terminal Building, West of Albert Pier, Port of St. Helier. P.170/87.

THE STATES acceded to the request of the President of the Harbours and Airport Committee that the Proposition relating to the Passenger Terminal Building, West of Albert Pier, Port of St. Helier (lodged on 27th October, 1987) be considered on 8th December, 1987.

Projet de Loi (198) (Amendement No. 5) réglant la Procédure Criminelle. P.188/87.

THE STATES acceded to the request of the President of the Legislation Committee that the projet de Loi (198) (Amendement No. 5) réglant la Procédure Criminelle (lodged on 24th November, 1987) be considered on 8th December, 1987.

Air services to and from the United Kingdom. Questions and answers.

Senator Richard Joseph Shenton asked Senator Bernard Thomas Binnington, President of the Harbours and Airport Committee, the following questions –

- “1. Will the President inform the House whether he is satisfied with the present availability of air services to and from the United Kingdom?
2. Has the Committee ever considered the operation of a shuttle service between the Island and one of the south coast airports in order to offer this facility to local residents?
3. Will the President inform the House as to why the airline operators still insist on introducing the Winter schedule at a time which conflicts with the half-term school holiday?

4. What proposals have the Committee in mind to improve communication services at the Airport in order that the travelling public may be kept fully informed of delays, etc.?"

The President of the Harbours and Airport Committee replied as follows –

- “1. I am fully aware of the difficulties currently experienced by many local residents and businessmen in obtaining seats on air services to and from the United Kingdom. Some of the reasons for these difficulties are –
 - (1) There has been a significant shift of traffic from sea to air. In the first nine months of this year air arrivals from the United Kingdom were 12 per cent up on last year and sea arrivals were 26 per cent down.
 - (2) The Jersey Transport Authority for long has encouraged the airlines to introduce lower promotional fares which local residents could enjoy, to generate additional traffic, and one result of this pressure has been the offer by Air U.K. of attractive fares for travel to and from Southampton. The outcome of this, together with the promotion of a new British Air Ferries service, has been a considerable growth in traffic on the Southampton/Jersey route with the number of passengers arriving from Southampton in the first nine months of this year being 83 per cent up on the same period last year.
 - (3) Additional traffic having been generated by promotional fares, the present position has been aggravated considerably by the withdrawal of British Air Ferries from the Southampton route at the end of October, and immediately prior to the half-term school holiday. Thus the situation exists that British Air Ferries having helped to encourage a build-up of traffic on the route are now not available to help satisfy that demand.

- (4) The continued growth in the Island's finance industry is reflected in a high level of business travel on the London routes and this, together with the active promotion of weekend breaks, has placed added pressure on the seat capacity available.

As the Senator will know from his time on the Transport Advisory Council, regular meetings are held with all the main airlines serving the Island, at which the adequacy of the seat capacity provided is one of the main items discussed. In April of this year, the Economic Adviser, as the Chief Officer of the Jersey Transport Authority, wrote to all the airlines on behalf of the Authority seeking early discussion on their 1988 schedules, and further contact is to be made with the airlines in the New Year.

2. The Jersey Transport Authority is of the view that the Southampton/Jersey route is one that lends itself to a high frequency, relatively low cost, scheduled air service catering for both local and United Kingdom residents. This view is reflected in the pressure brought to bear on Air U.K. to offer lower promotional fares, to which I have already referred, and also in the support given by the Jersey Transport Authority to the decision of British Air Ferries to introduce a competing service to that of Air U.K. on the Southampton/Jersey route. That support has also been extended to an application currently before the Civil Aviation Authority from Atlantic Air Transport for the operation of a scheduled air service on the Southampton/Jersey route from next year.

The concept of a shuttle service involves aircraft being made available at the relevant airports to cope with passenger demands as they arise. With the exception of British Airways, which is the only airline to operate a shuttle service on domestic routes, the airlines serving the Island do not have the aircraft in their fleet to provide such a service. In addition, the costs incurred in providing such a service are likely to be such that the availability of such a service would be at the expense of a higher fare level. What

is more practical, and likely to be of more benefit to all users including Island residents, is a high frequency, relatively low cost, scheduled service to and from Southampton along the lines of that provided earlier this year by Air U.K. and British Air Ferries.

3. Airlines serving the Island such as British Airways and British Caledonian Airways have international as well as domestic operations and they operate in accordance with the allocation of slots at Heathrow and Gatwick Airports which depend on agreement with a large number of international and domestic carriers. These airlines are affected by IATA rules concerning the dates of changing from the summer and winter schedules. However, there is still considerable opportunity to provide extra capacity through the substitution of larger aircraft, and this has been the practice. For example, British Airways changed to the winter schedule on 24th October, which was at the beginning of the half-term week, but through the use of a 757 aircraft, and the substitution of 737s for 1-11s in the half-term week, plus an extra round trip on Saturdays and Sundays, the capacity actually offered in the half-term week was little if any less than that provided when the summer schedule was in operation, and the capacity continues at a level 30 per cent greater than for last winter.

Other airlines serving the Island have greater opportunity to vary their schedules in response to passenger demand. Thus Air U.K. have continued their summer programme of five flights a day Monday to Friday, and have reduced by only one flight at weekends. This was in response to passenger demands but also reflected the fact that in June of this year the Jersey Transport Authority through the Economic Adviser wrote to all the main airlines with details of the school terms in Jersey up until October 1988, and referred to the particular pressures on the air services at the beginning and end of the half-term weeks.

In spite of additional capacity being provided by many of the airlines the position in the October half-term week remained extremely difficult. In large part this arose from the withdrawal of British Air Ferries from the Southampton/Jersey route, but other contributory factors were the holding in the Island of a darts tournament and the bringing to the Island of a number of sports teams to complete with local youngsters.

The House can be assured that the Jersey Transport Authority, recognising that there is room for improvement in the air services provided, will continue to press the airlines to put on extra capacity at half-term weeks, and otherwise provide additional capacity in response to passenger demands, and in this way the Authority is confident it can build further on the success achieved to date.

4. The Harbours and Airport Committee provides information to the travelling public in two ways – an Airport Information Service at Jersey Airport and the provision of information to the media.

The Airport Information Service, in conjunction with all the Airlines, provides Arrivals and Departures information on screens in all parts of the terminal building to which the public has access; this information is continually updated and one improvement for 1988 will be the provision of both Arrivals and Departures information in the upstairs bar area and The Terrace Restaurant in the Departure hall. Information to the media is provided through Oracle on television and by close liaison with Radio Jersey to provide regular bulletins on a daily basis with more frequent bulletins during any period of significant delay. All Airlines have access to the public address system and are encouraged to make broadcasts concerning delays in order to keep their passengers informed.

I consider the system to be satisfactory and my Committee will continue to encourage Airlines and the Airport

Information Service to make regular frequent broadcasts during periods of long delay due to poor weather conditions in Jersey or at the other Airport destinations.”

**Sea ferry services between Jersey and the United Kingdom.
Questions and answers.**

Deputy Corrie Stein of Grouville asked Senator Bernard Thomas Binnington, President of the Harbours and Airport Committee, the following questions –

- “1. Will the President confirm that the sea ferry service between Jersey and the United Kingdom is to be significantly reduced over the Christmas holiday period?
2. If this is so, what has the Committee done to persuade the ferry company to ensure that an acceptable level of service is provided?”

The President of the Harbours and Airport Committee replied as follows –

- “1. I confirm that the sea passenger ferry service between Jersey and the United Kingdom is reduced over the Christmas holiday period when compared with the service operated at other times. This however is the normal pattern at this time of the year. Nevertheless there are two more sailings during the period 21st December, 1987 to 6th January, 1988 than there were during the same period twelve months ago.

There is ample passenger accommodation on all voyages to and from the Island during that period and at present there are only difficulties in respect of accompanied cars on one service, namely the Portsmouth to Jersey sailing leaving Portsmouth on Sunday, 3rd January when all car capacity is fully

booked. The very high demand on that day has arisen from the desire of many people who are out of the Island over the Christmas period wishing to return to the Island at the last possible opportunity which will enable them to be available for work on Monday, 4th January. At no other time during the abovementioned period does the present level of bookings show a vehicle demand exceeding approximately 60 per cent of the vessel's capacity.

It is company policy to allow people to make provisional bookings some time in advance of their proposed journey and confirmation of the booking together with full payment for the fare is not demanded until thirty days prior to the date of travel. The company therefore cannot determine accurately the number of persons who will confirm bookings for 3rd January, 1988 until 3rd December, 1987. It will only be after that date that the actual shortfall in the vehicle capacity, if any, on that particular day will become known.

2. The Committee is in constant contact with the ferry companies and endeavours to ensure that the service provided matches the needs of the travelling public."

Residential rights of separated or divorced mothers and their children when those rights were only achieved through marriage. Questions and answers.

Senator Richard Joseph Shenton asked Deputy Hendricus Adolphus Vandervliet of St. Lawrence, President of the Housing Committee, the following questions –

- "1. Will the President of the Housing Committee inform the House as to how the Committee proposes to deal with divorced mothers and their children when their residential rights were only achieved through marriage?

2. Does the Committee envisage regarding the unfortunate mother and her children as being non-qualified residents, and, if so, would this then be a case for the International Court of Human Rights?"

The President of the Housing Committee replied as follows –

- “1. This is a very sensitive problem which the Housing Committee is dealing with at the present time. My Committee is frequently faced with situations where separated or divorced mothers, who do not have housing qualifications (but whose husbands do), apply to lease or purchase property in the Island. There is, of course, provision under the “Hardship Regulation” [Regulation (g)] for my Committee to consent to such applications where it recognises genuine hardship. However, the Committee is extremely concerned about the effect this seemingly growing trend is having on the Island’s housing stock. The Committee is currently consulting with the Crown Officers because of the legal implications of any approach it may adopt to such applications. Those consultations have not yet been concluded.

Senator Shenton has raised a specific case with the Housing Department, and all that I have already said here has been very recently communicated, in writing, to him by the Department. I cannot give him any further information at this stage.

2. Under the Housing Regulations, many persons who find themselves in these circumstances do not qualify to lease or purchase property. The problem preoccupying the Committee is how it might help such persons without unduly aggravating an already difficult housing situation. It may indeed be a matter in which the International Court of Human Rights has an interest, and it is for this reason that my Committee is seeking the view of the Crown Officers. This too has been explained to the Senator by my Department.”

School dental checks. Questions withdrawn.

Deputy Michael Adam Wavell of St. Helier withdrew his questions to the President of the Public Health Committee regarding school dental checks.

Budget 1988.

THE STATES commenced the consideration of the Budget for the financial year commencing 1st January, 1988, which in accordance with Article 16 of the Public Finances (Administration) (Jersey) Law, 1967, had been presented to the Assembly on 3rd November, 1987, 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, and 31.

Public Health Committee – Pages 32, 33, 34 and 35, having rejected an amendment of Deputy Dereck André Carter of St. Helier that vote number 3212 – Jersey Home Helps Society – be increased by £29,000 to £110,000.

Members present voted as follows –

“Pour” (14)

Senators

Shenton, Baal, Brooke.

Connétables

Grouville, St. Clement, St. Lawrence.

Deputies

St. Ouen, Morel(S), Le Gallais(S), Le Brocq(H),
Wavell(H), St. John, Carter(H), Baudains(C).

“Contre” (31)

Senators

Vibert, Le Marquand, Jeune, Binnington, Horsfall,
Ellis, Rothwell, Manton.

Connétables

St. John, St. Helier, St. Mary, St. Ouen, St. Saviour,
St. Brelade, Trinity.

Deputies

Mourant(H), Roche(S), Le Quesne(S), Trinity,
Filleul(H), Vandervliet(L), Le Fondré(L),
Rumboll(H), Grouville, St. Mary, Beadle(B)
Blampied(H), Billot(S), Norman(C), Mahoney(H),
St. Martin.

Resources Recovery Board – Pages 36 and 37.

Agriculture and Fisheries Committee – Pages 38 and 39.

Tourism Committee – Pages 40 and 41.

Etat Civil Committee – Pages 42 and 43.

Social Security Committee – Pages 42 and 43.

Cottage Homes Committee – Pages 42 and 43.

Establishment Committee – Pages 44 and 45.

Island Development Committee – Pages 46 and 47.

Elizabeth House Committee – Pages 46 and 47.

Housing Committee – Pages 48 and 49.

Prison Board – Pages 48 and 49.

Constitution Committee – Pages 48 and 49.

Fort Regent Development Committee – Pages 50 and 51.

Gambling Control Committee – Pages 52 and 53.

Legislation Committee – Pages 52 and 53.

Overseas Aid Committee – Pages 52 and 53.

Broadcasting Committee – Pages 52 and 53.

Industrial Relations Committee – Pages 54 and 55.

Harbours and Airport Committee – La Collette Reclamation Scheme – Pages 54 and 55.

Policy Advisory Committee – Pages 54 and 55.

TRADING COMMITTEES

Harbours and Airport Committee – Pages 56 and 57.

Telecommunications Board – Pages 56 and 57.

Committee for Postal Administration – Pages 56 and 57.

THE STATES, referring to the summary of income and revenue expenditure appearing on page 65 agreed the total revenue expenditure in the sum of £194,410,700, the total income from Committees in the sum of £106,004,300 and having allowed for a balance in hand at 31st December, 1987 of £62,873,460 agreed the amounts to be transferred to the Strategic Reserve, Accumulated Reserve and General Reserve in the sums of £40,000,000, £2,000,000 and £23,950,000 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 £53,462,060.

Having allowed for a balance of £13,609,900 to be brought forward at 1st January, 1988, and taking into account the capital repayments of £9,064,000 the States noted that there would be available in the Capital Fund the sum of £76,135,960. The States then proceeded to consider the estimates of Capital Expenditure recommended by the Finance and Economics Committee on pages 58 and 59 of the Budget and –

NON-TRADING COMMITTEES

The estimate of the capital expenditure of the Finance and Economics Committee appearing on page 58 of the Budget was allowed.

The estimate of the capital expenditure of the Defence Committee appearing on page 58 of the Budget was allowed.

The estimate of the capital expenditure of the Public Works Committee appearing on page 58 of the Budget was allowed.

The estimate of the capital expenditure of the Education Committee appearing on page 58 of the Budget was allowed.

The estimate of the capital expenditure of the Public Health Committee appearing on page 58 of the Budget was allowed.

The estimate of the capital expenditure of the Resources Recovery Board appearing on page 58 of the Budget was allowed.

The estimate of the capital expenditure of the Agriculture and Fisheries Committee appearing on page 59 of the Budget was allowed.

The estimate of the capital expenditure of the Cottage Homes Committee appearing on page 59 of the Budget was allowed.

The estimate of the capital expenditure of the Island Development Committee appearing on page 59 of the Budget was allowed.

The estimate of the capital expenditure of the Housing Committee appearing on page 59 of the Budget was allowed.

The estimate of the capital expenditure of the Prison Board appearing on page 59 of the Budget was allowed.

The estimate of the capital expenditure of the Fort Regent Development Committee appearing on page 59 of the Budget was allowed.

TRADING COMMITTEES.

The estimates of the capital expenditure of the Harbours and Airport Committee appearing on page 59 of the Budget was allowed.

The estimate of the capital expenditure of the Telecommunications Board appearing on page 59 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 £45,660,000.

THE STATES considered the estimates of income to be produced from taxation appearing on page 63 of the Budget and agreed the estimate as follows –

	£	£
Impôts on Spirits	4,950,000	
Impôts on Wines	2,255,000	
Impôts on Tobacco	2,915,000	
Impôts on Beer	1,375,000	
Impôts on Motor fuel	1,750,000	
Goods imported into the Island (Tariff)	500,000	13,745,000
Income Tax and Corporation Tax		130,100,000
Motor Tax		<u>1,100,000</u>
		<u>144,945,000</u>
		<u>250,949,300</u>

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-eight; to amend further the law

relating to income tax to increase personal allowances and reliefs; and to increase wines and spirit 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-eight; to amend further the law relating to income tax to increase personal allowances and reliefs and to increase wines and spirit 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 1988 appearing on page 65 of the Budget as follows –

INCOME

	£
Committees	106,004,300
Taxation	<u>144,945,000</u>
	250,949,300

DEDUCT

Revenue Expenditure	<u>194,410,700</u>
	56,538,600

ADD

Estimated balance in hand at 31st December, 1987.	<u>62,873,460</u>
	119,412,060

APPROPRIATION TO RESERVES

Strategic Reserve	40,000,000
Accumulated Reserve	2,000,000

General Reserve	25,000,000	
LESS Estimated balance in hand at 31st December, 1987	<u>1,050,000</u>	<u>65,950,000</u>
Balance to be transferred to Capital Fund		<u>£53,462,060</u>

THE STATES further agreed the estimated transactions of the Capital Fund for 1988 as follows –

	£	
Balance brought forward	13,609,900	
Capital repayments	9,064,000	
Estimated balance on Revenue Account (as above)	<u>53,462,060</u>	76,135,960
Capital expenditure		<u>45,660,000</u>
Estimated balance in hand at 31st December, 1988		<u>£30,475,960</u>

THE STATES rose at 6.15 p.m.

E.J.M. POTTER,

Greffier of the States.