



**THE STATES assembled on Tuesday,
24th March, 1987 at 10.15 a.m. under
the Presidency of the Bailiff,
Peter Leslie Crill, Esquire, C.B.E.**

All members were present with the exception of –

Senator Peter Geoffrey Kevitt Manton – out of the Island.

Fred Philip Webber Clarke, Connétable of St. Helier – out of the Island.

David John de la Haye, Deputy of St. Ouen – out of the Island.

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

Edgar John Becquet, Deputy of Trinity – out of the Island.

Prayers

**Appointment of Committee of Inquiry into the working of the
Magistrate's Courts.**

The Bailiff made the following statement –

“As I indicated at the swearing-in of the Magistrate, I have appointed a Committee of Inquiry into the working of the Magistrate's Courts (the Police Court, the Juvenile Court and the Petty Debts Court) to make recommendations for the promotion of justice, efficiency and economy, bearing in mind the interests of all concerned in the Court process.

The terms of reference will be –

To examine the rules, procedures and practices concerning the preparation, presentation and determination of cases in the Magistrate's Courts (the Police Court, Juvenile Court and Petty Debts Court); to consider all proposals for speeding up the work of the Courts and to make recommendations to the Bailiff.

The members of the Committee are –

Jurat the Honourable J.A.G. Coutanche
Advocate D.E. Le Cornu
Mr. A.B. Chinn
Centenier A. Vibert.

The Committee will have access to technical assistance and advice from the Home Office.

No date has been set for the completion of the work of the Committee, but it has been asked to report as soon as possible.”

Photograph at next States' Sitting.

The House agreed to the request of the Fort Regent Development Committee that a photograph of the States in Session could be taken at the next Sitting.

Subordinate legislation tabled.

The following enactment was laid before the States, namely –

**Road Traffic (Saint Brelade) (Amendment No. 10)
(Jersey) Order, 1987. R & O 7612.**

Contingencies vote of credit – Resources Recovery Board.

THE STATES noted an Act of the Finance and Economics Committee dated 16th March, 1987, informing the House that it had made available to the Resources Recovery Board the sum of £53,625

from the Contingencies vote of credit to purchase a Volvo foreloader/compactor.

Matters noted – land transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 16th March, 1987, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Mr. Henry William Perkins of No. 18, Dorset Street, St. Helier, required for inclusion in a small redevelopment scheme for a consideration of £32,000 for the realty and the payment of legal fees;
- (b) as recommended by the Tourism Committee, the grant to Mrs. Bridget Carré, née Kelly, of the lease of the site of Colleen's Café, Grève de Lecq, St. Ouen, for a period of five years with effect from 25th December, 1986, with annual rents as follows –

1987	£1,750
1988	£2,100
1989	£2,500
1990 and 1991 in line with market forces;	

- (c) as recommended by the Public Works Committee, the purchase from Mr. Philip George Le Quesne and Mrs. Mary Amy Le Quesne, née Holley, of 675 square feet of land at their property "Les Ronciers", La Route des Genets, St. Brelade, required in connexion with the construction of the proposed footpath from Mont Nicolle School to Woodbine's Corner, St. Brelade, for a consideration of £1,350, with the Committee being responsible for accommodation works and the payment of legal fees;

- (d) as recommended by the Island Development Committee, the granting to the Jersey Gas Company Limited of a servitude and the right to lay and maintain a mains gas pipe across Field 546, St. Brelade, for a consideration of £100, with the company being responsible for the payment of legal fees.

Matters lodged.

The following subjects were lodged “au Greffe” –

1. **La Collette: additional fire protection. P.59/87.**
Presented by the Defence Committee. The States decided to take this subject into consideration on 7th April, 1987.
2. **Capital Projects: review and control. P.60/87.**
Presented by the Finance and Economics Committee.
3. **Property Speculation and Monopolies: report and proposition. P.61/87.**
Presented by the Policy Advisory Committee. The States decided to take this subject into consideration on 28th April, 1987.
4. **Draft Attendance Allowances (Amendment No. 3) (Jersey) Law, 1986 (Commencement) Act, 198 . P.62/87.**
Presented by the Social Security Committee.
5. **Draft Social Security (Jersey) Regulations, 198 . P.63/87.**
Presented by the Social Security Committee. The States decided to take this subject into consideration on 28th April, 1987.
6. **Draft Health Insurance (Amendment No. 7) (Jersey) Law, 198 . P.64/87.**
Presented by the Social Security Committee. The States decided to take this subject into consideration on 7th April, 1987.

7. **Appointment of Special Committee to consider the workload, etc. of States' Members. P.65/87.**

Presented by Deputy Jean Amy Le Maistre of St. Helier. The States rejected the proposition of Deputy Le Maistre that this subject be taken into consideration on 7th April, 1987.

Le Picachon, Le Bourg, St. Clement. Withdrawn.

THE STATES acceded to the request of the President of the Finance and Economics Committee that the Proposition relating to the lease of Le Picachon, Le Bourg, St. Clement be withdrawn from consideration under Public Business at the present Sitting.

Petition of Mr. B.R. Cooper regarding reconsideration of a report of the Prison Board in the light of a Court of Appeal Judgement.

THE STATES referred to the Prison Board a Petition of Mr. Barrie Raymond Cooper asking that the States reconsider a report of the Prison Board in the light of a Court of Appeal Judgement.

Production of information by Committees to individual members of the States. Question.

Senator Ralph Vibert asked H.M. Attorney General the following question –

“Will the Attorney General kindly inform the States whether he shares the recently published opinion of Advocate M. St. J. Birt regarding the production of information by Committees to individual Members of the States?”

The Bailiff informed the House that the question would be answered on the return of the Attorney General to the Island.

Island Plan. Questions and answers.

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

- “1. Will the President confirm that his Committee is making decisions based on the new Island Plan, although this had not been approved by the House?
2. Will the President make available to States’ Members reports on the proposed golf course at Beauport, together with any information with regard to the establishment of a golfing hotel on the site?
3. Will the President inform the House as to the number of extra civil servants required to implement the Island Plan, if adopted, and the anticipated cost?”

The President of the Island Development Committee replied as follows –

- “1. Article 6 of the Island Planning (Jersey) Law, 1964, states that the Committee may grant permission either unconditionally or subject to such conditions as it thinks fit, or may refuse permission. The Committee makes those decisions in accordance with the purposes of the Law which are stated in Article 2. These are –
 - ‘(a) to provide for orderly planning in, and the comprehensive development of, land;
 - (b) to ensure that land is used in a manner serving the best interests of the community;
 - (c) to protect and enhance the natural beauty of the landscape and countryside;
 - (d) to preserve and improve the general amenities of any part of the Island;

- (e) to keep the coasts of the Island in their natural state;
- (f) to control the placing of advertisements and hoardings;
- (g) to protect sites of special interest;

and generally to prevent the spoilation of the amenities of the Island.’

All of the Committee’s policies relate directly to these purposes, some having been laid down by the Island Development Plan of 1962; others having been adopted and adapted in the light of experience and in response to the changing requirements of the community. On 2nd April, 1974 the States approved Zoning Map No. 6 which, with other propositions approved by the States from time to time, forms the basis of the Committee’s ‘COUNTRYSIDE PROTECTION’ and ‘LAND USE’ policies. The Green Zone is an example of the former; sites zoned for residential development, of the latter. Such development plans are prepared in accordance with Article 3 of the Planning Law which states –

- ‘(1) The Committee may from time to time prepare, for the approval of the States, development plans for different parts of the Island and any such plan may, in particular, define the site of proposed roads, public or other buildings and works, pleasure grounds or other open spaces, or designate areas of land for use for agricultural, residential, industrial, commercial or other purposes.
- (2) In this Law ‘development plan’ means a plan indicating the manner in which the Committee proposes that land should be used, whether by the carrying out thereon of development or otherwise.’

Volume 2 of the Island Plan, the contents of which are already known to Members of the House, contains a number of redefined but well-known policies, some new ones formulated in response to the community's needs as the Committee perceives them, and others which, by practice and tradition or because they fall into the Article 3 definition of 'development plan' are put forward for the approval of the States.

In so far as Volume 2 of the Island Plan is a statement of the Committee's planning policies, yes, the Committee is making decisions on the basis of that Plan, but only where the policies are in accord with the purposes of the Law and do not conflict with land use or other policies previously approved by the States. Where it is appropriate to do so, applicants are advised of new or amended policies adopted by the Committee. They are also told of others that will be adopted if and when the Island Map, the Town Map, and the Built-up Area Maps (which comprise the 'development plans' under Article 3) are approved by the States, and of specific policies that the Committee has asked the States to approve.

2. I shall be happy to make available the following reports commissioned by the Committee relating to the proposed golf course at La Moye to any States' Member who is interested –

Preliminary Report on sites for a third 18-hole Public Golf Course.

Land Use Consultants. January 1984.

Report on the preferred site for a new 18-hole golf course in Jersey.

Land Use Consultants. April 1984.

La Moye Golf Course – Agricultural Report.
Rural Planning Services. June 1984.

Following the States' decision in October 1986 to zone the land at La Moye for an 18-hole public golf course, a feasibility study has been prepared by the Huggett Coles Partnership, dated January 1987, which indicates various layout options based on the availability of land and includes estimates of cost based on similar golf courses in the United Kingdom. This report is currently being evaluated by a working party of officers and will be made available as soon as the Finance and Economics Committee, in consultation with my own Committee, reports back to the States in accordance with the second part of the October decision of the States.

I have no information to give the House regarding the establishment of a golfing hotel at the site, other than that a tentative enquiry was made regarding the construction of a large hotel and conference centre adjoining the site. This proposal was discouraged as it represented a major commercial development in the proposed Green Zone. The Committee also received an application two years ago for the redevelopment of the La Moye Hotel which was rejected because it represented an overdevelopment of the site. These two are the only approaches made to the Committee, to my knowledge, since the idea for a golf course in this part of the Island was first mooted.

3. The Committee has pointed out in paragraph 10.6 of Volume 2 of the Island Plan that most of the capital projects referred to in that document will be implemented during the ten-year period 1987 to 1997 whether the Plan is adopted or not. The Plan, by taking an overview of the likely needs and demands of the community, recommends how they can be integrated and ordered to make more effective use of existing resources and to ensure that wider-ranging aims are met.

I am unable to answer the Senator's questions in precise terms. The Committee has attempted to make a broad estimate of the additional manpower resources needed by the Department to implement the Plan when it is approved and these have been made known to the Establishment Committee. It is anticipated that for a short period after the Island Plan is approved a peak of work will result, and the Establishment Committee has agreed that a supernumerary appointment be made for a period of 2 years to tide us over this peak. Clearly, the nature of work will change for those officers in the Department who have been closely involved in the preparation of the Plan, who will shortly, it is hoped, become heavily involved in its implementation.

The Committee, whilst recognising the constraints that exist on recruiting manpower, has not allowed this factor to override what it believes is needed to meet the wishes of the community and the purposes of the Planning Law.

The Establishment Committee has been informed of the needs of the Planning Department as the new Chief Officer (and the Committee) perceives them – not just for the Planning Section, but also for the Development Control, Building Control and Administrative Sections of the Department.

A study is being undertaken of the organisation and methods of the Department with the assistance of an officer of the Personnel Department, and this will ultimately enable me to answer the Senator's question in greater detail."

Plat Douet and St. Peter's Schools: improvements.

THE STATES, adopting a Proposition of the Education Committee –

- (a) approved Drawings Nos. 2426/41 and 2426/42 showing the construction of two new classrooms, store, medical room and W.C.s at Plat Douet School;
- (b) approved Drawings Nos. 2338/NN and 2338/PP showing the construction of one new classroom at St. Peter's School;
- (c) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

Sand Street Car Park – new offices: approval of Drawings.

THE STATES, adopting a Proposition of the Public Works Committee –

- (a) approved Drawings Nos. 2813-20 and 2813-21, relating to the construction of new offices at Sand Street Car Park;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

Airport: lease of No. 4 Hangar and Alares House.

THE STATES, adopting a Proposition of the Harbours and Airport Committee –

- (a) approved the renewal of the lease to Air U.K. (Jersey) Limited of No. 4 Hangar and Alares House at the Airport at an annual rent of £46,183, the whole being for a term of nine years with effect from 1st May, 1987, with a rent review clause at the third and sixth years;
- (b) authorised the Greffier of the States to sign the necessary agreement with the company;
- (c) authorised the Treasurer of the States to receive the payments as they become due.

Draft Data Protection (Jersey) Law, 198 . P.43/87.

THE STATES commenced consideration of the draft Data Protection (Jersey) Law, 198 (lodged on 24th February, 1987). After discussion Senator Richard Joseph Shenton proposed that the States move to the consideration of the next item on the Order Paper, which proposition was carried, more than twenty Members voting in support thereof.

Loi (1987) concernant la police honorifique de Grouville. P.47/87.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the “Loi (1987) concernant la police honorifique de Grouville.”

Loi (1987) concernant la police honorifique de Saint Brélade. P.48/87.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the “Loi (1987) concernant la police honorifique de St. Brélade.”

Loi (1987) concernant la police honorifique de Saint Clément. P.49/87.

THE States, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the “Loi (1987) concernant la police honorifique de Saint Clément.”

Loi (1987) concernant la police honorifique de Saint Héliér. P.50/87.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the “Loi (1987) concernant la police honorifique de Saint Héliér.

**Loi (1987) concernant la police honorifique de Saint Jean.
P.51/87.**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the “Loi (1987) concernant la police honorifique de Saint Jean.”

**Loi (1987) concernant la police honorifique de Sainte Marie.
P.52/87.**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the “Loi (1987) concernant la police honorifique de Sainte Marie.”

Mammography Unit. P.54/87.

THE STATES rejected a Proposition of Senator Richard Joseph Shenton that the Public Health Committee should be requested to install a mammography unit in the Island with the minimum of delay.

Members present voted as follows –

“Pour” (14)

Senators

Shenton, Baal, Le Main, Brooke.

Connétables

Grouville, St. Martin, St. Clement.

Deputies

Morel(S), Farley(H), Le Fondré(L), Beadle(B), Blampied(H),
St. Peter, Carter(H).

“Contre” (34)

Senators

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

Connétables

St. John, Trinity, St. Brelade, St. Peter, St. Lawrence, St. Mary,
St. Ouen, St. Saviour.

Deputies

Mourant(H), Le Maistre(H), Quénault(B), Roche(S),
Le Brocq(H), Le Quesne(S), Filleul(H), Vandervliet(L),
Rumboll(H), Grouville, St. Mary, Thorne(B), Wavell(H),
Billot(S), Norman(C), St. John, Mahoney(H), St. Martin,
Baudains(C).

**Judicial Fees (Amendment No. 6) (Jersey) Regulations, 1987.
P.23/87.**

THE STATES, in pursuance of Article 12 of the Departments of the
Judiciary and the Legislature (Jersey) Law, 1965, as amended, made
Regulations entitled the Judicial Fees (Amendment No. 6) (Jersey)
Regulations, 1987.

Trade Marks (Amendment No. 3) (Jersey) Law, 1987. P.31/87.

THE STATES, subject to the sanction of Her Most Excellent
Majesty in Council, adopted a Law entitled the Trade Marks
(Amendment No. 3) (Jersey) Law, 1987.

**Pilotage (General Provisions) (Amendment No. 10) (Jersey)
Regulations, 1987. P.41/87.**

THE STATES, in pursuance of Article 9 of the Pilotage (Jersey)
Law, 1965, as amended, made Regulations entitled the Pilotage
(General Provisions) (Amendment No. 10) (Jersey) Regulations,
1987.

**13/15 Don Street, St. Helier: lease for Probation Service.
P.55/87.**

THE STATES, adopting a Proposition of the Public Works
Committee –

- (a) approved the leasing by the public of the Island from Orten Properties Limited of part of the property known as the first and second floor offices at Nos. 13 and 15 Don Street, St. Helier, for the purpose of accommodating the Probation Service for a period of nineteen years expiring in 2006 at a commencing annual rent of £22,083.50 payable quarterly in advance;
- (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 pay the rent as it becomes due.

Visit of Minister of State at the Home Office, Lord Caithness.

THE STATES noted that the Minister of State at the Home Office, Lord Caithness, would be welcomed in the House on 7th April, 1987.

Arrangement of Public Business.

THE STATES acceded to the request of the President of the Establishment Committee that the draft Data Protection (Jersey) Law, 198 (P.43/87) be considered on 28th April, 1987.

THE STATES rose at 4.45 p.m.

R.S. GRAY,

Deputy Greffier of the States.