



**THE STATES assembled on Tuesday,
26th April, 1988 at 10.15 a.m. under
the Presidency of the Bailiff,
Sir Peter Crill, C.B.E.**

All members were present with the exception of –

Senator Anne Baal – out of the Island.

Senator John Stephen Rothwell – out of the Island.

John Pepin Le Sueur, Connétable of St. John – out of
the Island.

Edwin Le Gresley Godel, Connétable of St. Mary –
ill.

Jack Roche, Deputy of St. Saviour – ill.

Patricia Ann Bailhache, Deputy of St. Helier – out of
the Island.

Prayers

**Doctor Richard Plender, M.A., L.L.B., L.L.M.Pd., J.S.D. –
welcome.**

The Bailiff welcomed to the House Doctor Richard Plender, Reader
in E.E.C. Law at Kings' College, London.

Subordinate legislation tabled.

The following enactments were laid before the States, namely –

- 1. Fire Service (General Provisions) (Amendment No. 11)
(Jersey) Order, 1988. R & O 7747.**

**2. Road Traffic (Saint Helier) (Jersey) Order, 1988.
R & O 7748.**

Special Committee on the review of the machinery of government: appointment of members.

THE STATES considered nominations by Senator Reginald Robert Jeune and Hendricus Adolphus Vandervliet, Deputy of St. Lawrence, regarding the appointment of States' Members to the Special Committee on the review of the machinery of government, and, having proceeded to a ballot, appointed the following as Members –

Senator Richard Joseph Shenton
Senator Bernard Thomas Binnington
Senator John Stephen Rothwell
Senator Dereck André Carter
Iris Medora Le Feuvre, Connétable of St. Lawrence
Sir Martin Le Quesne, Deputy of St. Saviour
Robin Ernest Richard Rumboll, Deputy of St. Helier
Derek Ryder Maltwood, Deputy of St. Mary.

Annual Report and Accounts of the States for 1987.

The Finance and Economics Committee by Act dated 5th April, 1988, and in pursuance of Article 21(3) of the Public Finances (Administration) (Jersey) Law, 1967, as amended, presented to the States the Annual Report and Accounts of the States for the financial year ended 31st December, 1987.

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

Matters noted – land transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 18th April, 1988, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Public Works Committee, the purchase from Mr. Barrie Lewis Hubert and Mrs. Patricia Mary Hubert, née de Gruchy, of 204 square feet of land situated at La Mielle du Sud, Bel Royal, St. Lawrence, required in connexion with the provision of a footpath at La Mielle du Sud, for a consideration of £408, with the Committee's being responsible for the accommodation works and the payment of all legal fees;
- (b) as recommended by the Public Works Committee, the purchase from Mr. Malcolm Stuart Hickmott and Mrs. Gail Patricia Hickmott, née Baker, of 624 square feet of land situated at Delamere, La Route du Pont Marquet, St. Brelade, required in connexion with the provision of a footpath along Rue du Pont Marquet, for a consideration of £1,248, with the Committee's being responsible for the accommodation works and the payment of all legal fees;
- (c) as recommended by the Public Works Committee, the purchase from Mr. George McDonald Thain and Mrs. Alice Christian Thain, née Fielding, of 447 square feet of land situated at "Le Jardin de Francheville", Grouville, required in connexion with road improvement purposes, for a consideration of £894, with the Committee's being responsible for the accommodation works and the payment of all legal fees;
- (d) as recommended by the Housing Committee, the granting to Partina Limited of a contract servitude to allow the company right of vehicular access at all times and all purposes and the right to connect all the Committee services at La Grande Pièce to the new houses and garages, Nos. 1 to 5, at La Petite Pièce, La Grande Route de St. Pierre, St. Peter, for the sum of £5,000, with the company's being responsible for the payment of all legal fees;

- (e) as recommended by the Housing Committee, the granting to Partina Limited of a contract servitude to allow the company right of vehicular access at all times and all purposes and the right to connect all the Committee's services at La Grande Pièce to the new house and garage, No. 6, La Petite Pièce, La Grande Route de St. Pierre, St. Peter, for the sum of £1,500, with the company's being responsible for the payment of all legal fees;
- (f) as recommended by the Housing Committee, the granting to Partina Limited of a contract servitude to allow the company right of vehicular access at all times and all purposes and the right to connect all the Committee services at La Grande Pièce to the car parking area at La Petite Pièce, La Grande Route de St. Pierre, St. Peter, for the sum of £10, with the company's being responsible for the payment of all legal fees.

Matters noted – financial transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 18th April, 1988, 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 six tenders, namely that submitted by B and C Contractors Limited, in the sum of £205,712.16 in a contract period of six months for the construction of six one-bedroomed flats at Perrée Villas, Valley Road, St. Saviour.

Draft Sea-Fisheries (Miscellaneous Provisions) (Amendment No. 3) (Jersey) Regulations, 198 . P.142/87. Withdrawn.

THE STATES noted that the Agriculture and Fisheries Committee had withdrawn the Draft Sea-Fisheries (Miscellaneous Provisions)

(Amendment No. 3) (Jersey) Regulations, 198 (lodged on 25th August, 1987).

**Weighbridge area and Albert Pier reclamation site: first phase.
P.37/88.**

THE STATES acceded to the request of the Vice-President of the Island Development Committee that consideration of paragraphs (c), (d) and (e) of the Proposition relating to the reclamation site at the Weighbridge area and Albert Pier (lodged on 29th March, 1988 and partially debated on 19th April, 1988) be deferred from today's Sitting to 24th May, 1988.

Hedgerows. Questions and answers.

Senator Terence John Le Main asked Senator Pierre François Horsfall, President of the Agriculture and Fisheries Committee, the following questions –

- “1. Can the President inform the house if the Agriculture and Fisheries Committee has any power to stop land owners cutting out hedgerows for the purpose of enlarging fields?
2. Can the President confirm that if a householder wanted to make as material a change in the appearance of his home as a land owner or farmer does in amalgamating two or more fields by cutting out hedgerows, permission would have to be given by the Island Development Committee?
3. Among the range of services offered by the Department of Agriculture and Fisheries to growers and land owners, is specific advice available on the advantages or otherwise of a programme by creating and/or replacing hedgerows?
4. Can the President tell the House if there are advantages to the agricultural industry in having a programme for hedgerow creation and/or replacement?

5. If the answer to question 4 is yes, is the President prepared to seek funds from the House as soon as possible to encourage growers and land owners to plant a greater number of trees and hedgerows?"

The President of the Agriculture and Fisheries Committee replied as follows –

- “1. The Agriculture and Fisheries Committee has no powers to stop landowners cutting out hedgerows for the purpose of enlarging fields.
2. This question should, I believe, have been directed to the President of the Island Development Committee. I do, however, agree that the amalgamating of two or more fields undoubtedly produces a material change in the appearance of the landscape.
3. The Department of Agriculture and Fisheries offers a very wide range of services to growers and landowners and advice is available on the advantages or otherwise of a programme of creating and/or replacing hedgerows. In addition, the Department has access to the various specialised services of the Agricultural Development and Advisory Services and specialists have been brought to the Island from time to time to advise on these matters. The whole of the Department’s efforts in this direction are to the creation of more effective hedgerow windbreaks rather than their elimination.
4. There is undoubtedly a very positive advantage to the agricultural industry in having a programme for hedgerow creation and/or replacement. Over the years many farmers have carried out tree and hedgerow

planting, either of their own volition or in consultation with the Agriculture and Fisheries Department and/or with the help and guidance of the Department of Public Building and Works.

5. I am not prepared in isolation to seek funds from the House to encourage farmers, growers and landowners to plant a greater number of trees and hedges. The Public Works Committee has recently reconstituted the Tree Council under the chairmanship of Mr. Norman Le Brocq and undoubtedly that body will be producing a report on the need to encourage all growers and landowners to carry out a programme of planting. For Agriculture to produce a plan in isolation would, I believe, be counter-productive. However, I would support any request to this House for funds to enable a comprehensive planting programme to be undertaken. The support would be on the condition that the authority responsible for such a programme took due note of the type of material to be used and the types of woodland, shelter belts and hedgerows that were required for the well-being of the Island as a whole rather than agriculture in isolation.

In conclusion, the implication of these questions is that there is widespread removal of hedgerows for the purpose of amalgamating fields. I have to say that my Department is not aware of any significant removals in recent years and would ask Senator Le Main to inform us of any locations of which he is aware.”

Elm trees. Questions and answers.

Senator Terence John Le Main asked Deputy John Le Gallais of St. Saviour, President of the Public Works Committee, the following questions –

- “1. Can the President tell this House when his Department first started felling diseased elms and when did it finish?
2. Can the President tell this House how much it cost, i.e. the final cost of the whole project over the years?
3. Can the President tell this House, since the felling of diseased elms ceased, how much per year has been spent on replanting new trees/hedgerows?
4. Can the President tell this House whether his Committee has any plans either monetary or otherwise which he will bring to this House for a re-afforestation programme for Jersey?”

The President of the Public Works Committee replied as follows –

- “1. The Agriculture and Fisheries Committee obtained powers to deal with Dutch Elm disease, by felling affected trees, on 5th December, 1974. These powers and responsibilities were transferred to the Public Works Committee on 17th October, 1978. They were revoked, and felling by the Committee, on land other than that owned by the States, ceased on 27th October, 1982.
2. The total cost of the sanitation campaign from 1974 to 1982 was £740,103 including the amount spent by the Agriculture and Fisheries Committee.
3. The Committee have planted 15,000 trees/annum since the sanitation programme ceased. Much of this planting has been carried out using the labour provided under the special employed scheme, and therefore accurate costs are difficult. However, the Committee is currently spending approximately £70,000/annum on tree/hedge planting and maintenance.

4. The Public Works Committee have recently reformed the Jersey Tree Advisory Council as a sub-committee, and have given them a brief to produce a comprehensive 'Ten Year Plan' to deal with trees in Jersey. This will include plans for planting, recommendation for funding, and the future maintenance of trees in the Island. The brief was given to the States in the Statement made to this House on 26th January, 1988."

Royal Court Road. Questions and answers.

Senator Terence John Le Main asked Deputy John Le Gallais of St. Saviour, President of the Public Works Committee, the following question –

“In view of an assurance given to me that Public Works were looking at alternative parking to the Royal Square for States’ Members can the President give this House the progress made in this investigation?”

The President of the Public Works Committee replied as follows –

“It is the ambition of the Public Works Committee that this building should be refurbished in order to improve and bring up to date the standard of accommodation and facilities it offers to the Bailiffs, the Jurats, States’ Members, the Crown Officers and everyone else who needs to work in the building.

It is the Committee’s intention to include in the terms of reference to whoever is appointed to investigate the changes that should be made to the building, that the possibility of alternative arrangements for the parking of Members’ cars elsewhere than in Royal Court Road should be considered. At present, the development proposed by the Island Development Committee for the reclamation site west of the Albert Pier (P.37) is receiving the undivided attention of the Department. Later this year the Committee

will turn its attention to this building, and to this end is proposing an additional capital sum for planning purposes in the 1989 Budget.”

Supplementary and Additional Votes of Credit.

THE STATES considered an Act of the Finance and Economics Committee dated 18th April, 1988, presenting Acts of all the undermentioned Committees and, acceding to the requests contained therein, granted to the said Committees' Supplementary (S) and Additional (A) votes of credit out of the General Reserve as follows –

	S	A
	£	£
Finance and Economics Committee		
Bailiff's Chambers		
0305 Establishment	1,500	
Crown Officers' Department		
0311 Staff	35,300	
0312 Premises	1,000	
0313 Supplies and Services	500	
0315 Establishment	800	
Probation Service		
0351 Staff	10,000	
Impôts Department		
0362 Premises		700
Economic Adviser's Department		
0421 Staff	26,200	
0425 Establishment	<u>2,000</u>	
Carried forward	78,000	

S A

£ £

Finance and Economics Committee cont'd.

	Brought forward	78,000	
	Commercial Relations Department		
0431	Staff	26,000	
0432	Premises	3,000	
0433	Supplies and Services	138,800	
0435	Establishment	<u>1,000</u>	
	Total request	<u>246,800</u>	

Defence Committee

	Miscellaneous		
1024	Royal Navy Auxiliary Service		4,500
	Immigration and Nationality		
1104	Transport	3,400	
	Motor Traffic Office		
1123	Supplies & Services	24,000	
1125	Establishment	12,000	
	Police		
1201	Staff	159,600	
1205	Establishment	17,000	
	Fire Service		
1301	Staff	<u>4,200</u>	
	Total request £224,700	<u>220,200</u>	<u>4,500</u>

S	A
£	£

Education Committee

Child Welfare		
2912	Staff	32,300
Administration		
3152	Staff	<u>39,600</u>
	Total request	<u><u>71,900</u></u>

Public Health Committee

Community Health Services		
3207	Health and Social Services – Miscellaneous	190,500
Grants		
3217	Bournemouth Hospital Appeal	100,000
3218	Wessex Medical School Trust	<u>200,000</u>
	Total request £490,500	<u><u>190,500</u></u> <u><u>300,000</u></u>

Agriculture and Fisheries Committee

4132	Aid to the Dairy Industry	40,000
4140	Advertising, market research and financial assistance for approved schemes to encourage co-operation among producers	40,300
4149	Market Development	<u>50,000</u>
	Total request £130,300	<u><u>80,300</u></u> <u><u>50,000</u></u>

S A

£ £

Cottage Homes Committee

4901	Staff	<u>2,800</u>
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Housing Committee

5401	Staff	<u>32,000</u>
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CAPITAL VOTES OF CREDIT**Defence Committee**

Motor Traffic Office		
CO136	Equipment for Test Station	6,000

Police		
CO134	Crabbé Range Improvements	10,000

Fire		
CO139	Replacement Fire Appliance	<u>2,500</u>

Total request	<u>18,500</u>
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Public Works Committee

CO356	Sand Street Multi-Storey Car Park – Improved Lift Facilities	<u>5,000</u>
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Resources Recovery Board

CO458	Sludge Treatment Plant	<u>1,705,000</u>
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S	A
£	£

Housing Committee

C1103	Building, Purchase & Rehabilitation of Dwellings: Hampshire Gardens, Phase II	115,000
	Le Jardin du Crocquet	84,300
	Perrée Villas	<u>26,300</u>
	Total request	<u>225,600</u>

The total requests granted for the April Supply Day amounted to £3,153,100.

Don Westaway Council: membership.

THE STATES, adopting a Proposition of the Education Committee, approved, in accordance with the provisions of Article 12 of the Westaway Trust (Jersey) Law, 1930, the nomination of Mrs. Sheila Cooper (née Wright) in place of the late Mr. Cyril George Millar as a member of the Don Westaway Council.

6 Plaisance Terrace, St. Saviour: acquisition.

THE STATES, adopting a Proposition of the Housing Committee –

- (a) referred to their Act dated 8th December, 1987, and authorised the Housing Committee to purchase on behalf of the public from Mr. Harry Reginald Huish, the property No. 6 Plaisance Terrace, La Route du Fort, St. Saviour, for the sum of £240,000 for the realty with each side being responsible for the payment of its own legal fees;

- (b) agreed that the said property should be used for the purpose of providing a refuge for battered wives, on a trial basis, for a period of two years initially;
- (c) agreed to lease the said property to the Jersey Women's Refuge for that purpose for a period of two years initially, at a rent to be negotiated;
- (d) authorised the payment or discharge of the expenses to be incurred in connexion with the acquisition of the said property, and all legal expenses from the Housing Committee's vote of credit 'Land purchase' (C.1104);
- (e) authorised the Attorney General and the Greffier of the States to pass on behalf of the public any contract it might be found necessary to pass in connexion with the acquisition of the said land and any interests therein.

Sewage treatment works: extension.

THE STATES, adopting a Proposition of the Resources Recovery Board, approved the revised scheme to provide an extension to the sewage treatment works at Bellozanne, as detailed in the Resources Recovery Board's report dated 22nd February, 1988.

Dwelling-Houses (Rent Control) (Amendment No. 4) (Jersey) Law, 1988. P.42/88.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Dwelling-Houses (Rent Control) (Amendment No. 4) (Jersey) Law, 1988.

Company Securities (Insider Dealing) (Amendment) (Jersey) Law, 1988. P.45/88.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Company Securities (Insider Dealing) (Amendment) (Jersey) Law, 1988.

Liberation Day. P.41/88.

THE STATES commenced consideration of the Proposition of Senator Richard Joseph Shenton, and having agreed to the deletion of the words "Tourism and" in paragraph 2 –

1. restated their belief in the celebration of May 9th Liberation Day as a Public Holiday;
2. requested the Education Committee to consider the staging of events to commemorate this historic day;
3. requested all employers to ensure that those employees who had to work on this day be granted a day off in lieu.

THE STATES rose at 12.55 p.m.

R.S. GRAY,

Deputy Greffier of the States.