

Price : #4.00

THE STATES assembled on Tuesday,
27th March, 1990 at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Vernon Amy Tomes, Esquire

All Members were present with the exception
of -

Leonard René Hamel, Connétable of St.
Clement - ill.
David John de la Haye, Deputy of St.
Helier - out of the Island.
Jack Roche, Deputy of St. Saviour -
ill.
Margaret Sylvia Rose Beadle, Deputy of
St. Brelade - out of the Island.
Michael Adam Wavell, Deputy of St.
Helier - ill.
Thomas James Jordan, Deputy of St.
Brelade - out of the Island.

Prayers

Subordinate legislation tabled

The following enactment was laid
before the States, namely -

Data Protection (General Provisions)
(Jersey) Order 1990. R & O 8040.

Data Protection: report for 1989.
R.C.7

The Finance and Economics
Committee by Act dated 5th March 1990,

presented to the States a report on the operation of the Data Protection (Jersey) Law 1987 and ancillary matters for 1989.

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

Agricultural loans: report for 1989. R.C.8

The Agriculture and Fisheries Committee by Act dated 8th March 1990, presented to the States a report on the Agricultural Loans and Guarantees Fund for the year ending 31st December, 1989 and commenting on the operation during 1989 of the Agriculture (Loans and Guarantees) (Jersey) Law 1974, as amended, and the Agricultural (Loans) (Jersey) Regulations 1974, as amended.

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

Births, marriages and deaths in 1989. R.C.9

The Etat Civil Committee by Act dated 8th March 1990, presented to the States a statement of births, marriages and deaths in 1989.

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

Prison Board: report for 1989. R.C.10

The Prison Board by Act dated 26th February 1990, presented to the States the report of the Board for 1989.

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

Contingencies vote of credit - Public Services Committee

THE STATES noted an Act of the Finance and Economics Committee dated 19th March 1990, informing the House that it had made available to the Public Services

Committee the sum of #700,000 from the contingencies vote of credit in order to carry out urgent repair work resulting from the recent severe storm damage to the coastal defences.

Social Security report and accounts 1988/89

The Social Security Committee by Act dated 1st February 1990, presented to the States its report and statement of accounts for the year ended 30th September 1989.

THE STATES ordered that the said report and statement of accounts be printed and distributed.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 19th March 1990, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Public Services Committee, the purchase from Mrs. Raymonde Lucienne de la Haye, née Bouteloup, of the property 19 Devonshire Place, St. Helier, required for road widening, for a consideration of #70,000 with the Committee being responsible for the payment of all legal costs and estate agents fees;
- (b) as recommended by the Public Works Committee, the lease of Sub-station site No. 357 in Sand Street Car Park to The Jersey Electricity Company Limited for a period of 21 years commencing 25th March 1990 at an annual rent of #1 payable in one sum in advance;
- (c) as recommended by the Public Works Committee, the lease to Elizabeth Restaurants Limited of the Café at Elizabeth Castle for a period of six years commencing on 1st

January 1990 at an annual rent of #8,000 or 12.5 per cent of gross sales, whichever was the higher, subject to a rent review at the end of the first and third years of the lease.

Matter noted - financial transaction

THE STATES noted an Act of the Finance and Economics Committee dated 19th March 1990, showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the Defence Committee had accepted the lowest of seven tenders, namely that submitted by K.R. Le Marquand and Son Limited in the sum of #99,780 in a contract period of 20 weeks for the refurbishment of Crabbé Farm, St. Mary.

Matters lodged

The following subjects were lodged ``au Greffe" -

1. Day Care Centre, Gorey Village. P.38/90.
Presented by the Public Health Committee.
2. Maternity Hospital premises: conversion. P.39/90.
Presented by the Public Health Committee.
3. Incinerator for hospital waste and animal carcasses. P.40/90.
Presented by the Public Services Committee.
4. States' capital programme for 1991. P.41/90.
Presented by the Policy and Resources Committee.
5. Draft Act with regard to the provision of a minimum income for elected members of the States. P.42/90.

Presented by the Legislation
Committee.

6. Sodomy: amendment of legislation.
P.43/90.
Presented by Senator Betty Brooke.

7. Green zone: agricultural storage
buildings. P.44/90.
Presented by the Island
Development Committee.

The following subject was lodged on 20th
March 1990 -

Draft Correspondence Colleges and
Institutes (Licensing) (Jersey) Law
199 . P.39/90.
Presented by the Education Committee.

Draft Act with regard to the
provision of a minimum income for elected
members of the States. P.29/90. Withdrawn

THE STATES noted that the
President of the Legislation Committee had
withdrawn the draft Act with regard to the
provision of a minimum income for elected
members of the States (lodged on 13th March
1990), a revised draft Act having been
lodged at the present Sitting (P.42/90).

Arrangement of Public Business for
next Sitting on 3rd April 1990

THE STATES confirmed that the
following subject lodged au Greffe should
be considered at the next Sitting on 3rd
April 1990 -

Draft Correspondence Colleges
and Institutes (Licensing) (Jersey)
Law 199 . P.37/90
Lodged: 20th March, 1990.
Education Committee

Listed buildings and urban
commercial sites. Questions and answers.

Senator John Stephen Rothwell asked the Connétable of St. John, President of the Island Development Committee, the following questions -

``Would the President inform the House the reason for the appointment of Mr. Jonathan Ratter as consultant to the Island Development Committee, the period of time he spent in the Island and what he achieved?"

The President of the Island Development Committee replied as follows -

``As the Senator and Members of the House will know, the Island Planning (Jersey) Law 1964, had, as one of its defined purposes (Article 2) -

`(g) to protect buildings of special architectural or historic interest'

The Island Planning (Amendment No. 3) (Jersey) Law 1983 altered the scope of the Island Planning Law to provide for the conservation of land and the protection of sites of archaeological and other special interest.

Article 9 of the 1964 Law made provision for a list of buildings of special architectural or historic interest. The 1983 Amendment effectively extended the powers of protection to buildings and places of public importance not only of architectural and historic interest, but also of zoological, botanical, archaeological, artistic, cultural, geological, scientific or traditional interest. Since the 1983 Amendment these are now designated Sites of Special Interest.

Since the 1964 Law was put into effect, the Island Development Committee has made three Orders designating specific sites -

1972 - various buildings in St. Helier and one in St. Saviour

1974 - various buildings at Gorey
Pier in St. Martin

1984 - Grouville Railway Station

This is the sum total of buildings in the Island receiving any sort of statutory protection. Successive Island Development Committees had recognised the need to extend this protection to all buildings and places in the Island worthy of it, and during former Deputy Norman Le Brocq's and my own presidency, attention was focussed on the Island's architecturally and historically important buildings in the Island Plan. Indeed the Town Map identified, very much as a holding measure, 'Building frontages of townscape importance' and in Volume 2 of the Island Plan, at Policy BE5 declared the intention of designating and publishing a list of sites of special interest. The Plan recognised that a comprehensive list would take time to prepare and accordingly stated the intention to have regard to buildings described in various publications when considering applications.

These publications were -

Old Jersey Houses Volumes 1 and
2 - Joan Stevens
Buildings in the Town and Parish
of St. Helier - C.E.B. Brett
Victorian Jersey - Marcus Binney
and Calder Loth
Townscape Studies - Island
Development Committee
The Surveys of Parish Treasures

Jonathan Ratter was thus appointed to conduct, on the Committee's behalf, a survey of all those buildings in the Island which might merit designation as sites of special interest. He was recommended to us by the Principal Inspector at English Heritage (The Historic Buildings and Monuments Commission for England). He commenced work on the survey on 1st May 1987 and substantially concluded his work at the end of 1988.

What Mr. Ratter set out to do, and what he achieved, was to identify those buildings which might be considered suitable for designation as sites of special interest for their architectural or historical importance.

He examined, photographed and commented on some 2,500 structures and graded them into three categories of relative importance, of which those in Grade 1 are the most important and are likely to be recommended for designation as sites of special interest."

Supplementary question and answer

Senator Rothwell - ``Would the President accept that Mr. Ratter was highly qualified to carry out the task that the Committee gave to him?"

President, Island Development Committee - ``He came to us with a very high recommendation from the English Heritage."

Senator Rothwell

Question 2

``Would the President explain the purpose and functions of the Historic Buildings Advisory Panel and the Urban Design Panel and the persons who serve on these panels?"

President, Island Development Committee

``Article 9(4) of the Island Planning (Jersey) Law, as amended, requires that -

`before making an order under paragraph (1) of this Article, the Committee shall consult with such persons or bodies of persons as appear to it appropriate as having special knowledge of or interest in buildings or places of public importance

The Historic Buildings Advisory Panel

was established by the Committee to -

- (a) assist it in defining the criteria by which buildings would be classified;
- (b) fulfil the requirement of Article 9(4) of the Law.

The Panel considered the recommendations made by Mr. Jonathan Ratter and although for the most part these were accepted, the recommendations the Committee had been receiving over the last 12 months on a parish by parish basis were those of the Panel, rather than Mr. Ratter himself.

Members of the Panel were either selected or nominated by bodies such as the Société Jersiaise and National Trust for Jersey to provide the widest available range of knowledge and expertise on architectural merit and historic interest in buildings. It comprised -

Mr. Maurice Boots - Architect
Mr. David Barlow - Architect
Mr. Fred Le Gresley - Chartered Surveyor
Miss Jean Arthur - Historian
Mr. Geoffrey Myers - Architect
Mr. Dick Le Sueur - Architect
Mr. Hilary Stuart-Williams - Historian
Mr. Mike Day - Historian.

The Urban Design Panel was established by the Island Development Committee in 1989 effectively to replace the Architects' Panels which had existed since the Committee came into being in 1964, but which had had a diminished rôle in the 1980s since the Planning Department had appointed an additional architect to advise the Committee on the design of proposals made to it.

Its rôle is therefore somewhat broader than that of the former Panel and it has no specific remit for buildings of architectural or historic interest. Its brief is to advise the Committee on selected matters of urban design -

which we define as the design of buildings and other structures as they relate to surrounding buildings and space. Its members comprise -

Mr. Chris Scholefield - Chairman
Mr. Eric Baker
Mr. Marcus Binney
Mr. Maurice Boots
Mr. Mike Day
Mr. Tony Dessain
Mr. André Ferrari
Mr. A. Layzell
Mr. Derek Mason
Mr. Rod McLoughlin
Mrs. Mary Phillips
Mr. Fred Sands
Mr. Robin Seymour
Mr. Robert Tilling,

each of whom, through their professional or personal interests, share a concern for the quality of the built environment."

Senator Rothwell

Question 3

"Is it a fact that on 18th October 1988, two months before the original States debate on Government House, the Historic Buildings Advisory Panel agreed with Mr. Ratter's recommendation that Government House should be included on the list of Grade 1 buildings proposed as sites of special historical importance?"

President, Island Development Committee

"Yes. In his report dated 22nd November 1988, Jonathan Ratter confirmed that, at its meeting on 18th October 1988, the Historic Buildings Advisory Panel endorsed his recommendations that Government House be included in the list of Grade 1 buildings proposed as sites of special interest."

Senator Rothwell

Question 4

“Is it also a fact that in Mr. Ratter's report of 22nd November 1988, he stated that members of the Historic Buildings Advisory Panel, including several architects and a chartered surveyor, found it surprising that Government House was beyond economic repair?”

President, Island Development Committee

“The Island Development Committee, on 24th November 1988, were presented with the views of Jonathan Ratter and the Historic Buildings Advisory Panel which, among other things, included an expression of surprise that the Public Works Committee should have recommended demolition which was based on its consultant architect's argument that the building had ‘little or no architectural merit’ and that the building ‘may well have reached the end of its useful life.’

The Director of the Public Works Department and the consultant architects Le Sueur and Baker confirmed this view at the same meeting and further presented information from a structural survey which in their interpretation ‘highlighted major defects’ in the building.

The Committee, faced with this seemingly authoritative rebuttal of the opinions of Jonathan Ratter and the Historic Buildings Advisory Panel, chose to accept the advice of the Public Works Department and its consultant architects and to support the proposals for a new Government House. It was only subsequently that the Committee had access to further informed and expert opinion from their recently appointed conservation architect and from research undertaken by the Save Government House campaign. This information confirmed the historical and architectural value of the house and allowed a more constructive interpretation of the contents of the structural survey. The

Committee acted decisively on the new information and without delay rescinded its earlier decision and took the initiative in bringing a rescindment motion before the House."

Senator Rothwell

Question 5

"Would the President inform the House if this vital information concerning the protection of Government House, and the proposed Grade 1 listing, was provided to the Public Works Committee prior to the lodging of that Committee's proposition recommending demolition of Government House?"

President, Island Development Committee

"The information concerning the protection of Government House and its proposed Grade 1 listing was prepared by Jonathan Ratter on 22nd November 1988. It was presented to the Island Development Committee on 24th November 1988. The Public Works Committee made its decision to lodge the report and proposition on 18th November, four days before the report was prepared. It was therefore not possible to inform the Public Works Committee prior to the meeting at which it decided to lodge the report and proposition.

The urgency with which the Public Works Committee treated the lodging of the report should be appreciated. The Bailiff asked for the matter to be treated as one of the utmost urgency. The Bailiff advised the Public Works Committee, which included that advice in its draft report and proposition which my Committee was shown on 24th November, that 'he must be in a position no later than the end of the year (1988) to tell Her Majesty's Government if any changes are to be made in the accommodation to be provided for the next Lieutenant Governor'. Presidents of the Finance and Economics, Public Works and the

Island Development Committees were requested to expedite the process in the interests of the Lieutenant Governor to minimise inconvenience and disruption to him."

Supplementary questions and answers

Senator Rothwell - ``As the President had previously stated in answer to question 3, in fact he did actually answer it correctly but there was a report dated 18th October 1988 two months before the actual proposition was lodged before the House and a month before the Public Works Committee's report was lodged in the House recommending Mr. Ratter's recommendation and this recommendation given by the Historic Buildings Advisory Panel. In view of the answer given by the President to question 5 did not he or the officers know sufficient information from the 18th October report to pass on to the Public Works Department. Were they not informed of Mr. Ratter's report of 18th October?"

President, Island Development Committee - ``They were not."

Senator B. Brooke - ``Would it not have seemed more business like for the Island Development Committee knowing that the Public Works Committee were working on this project to have informed the Public Works Committee of this listing of this building or this proposed listing and not to have allowed members of the Public Works Committee to have been left in this position?"

President, Island Development Committee - ``Hindsight is always a very welcome asset, at the time I did not."

Senator Rothwell

Question 6

``Could the President explain why during the Government House debate of

December 1988 he failed to notify members of the House that Government House had been recommended as a Grade 1 Building?"

President, Island Development Committee

"The grading of Government House at this time was only provisional and therefore was considered confidential, as premature discussion could prejudice the proper process as required in Article 9 of the Island Planning (Jersey) Law. However, in view of the decision made by the Public Works and Island Development Committees in support of the proposal, as President of the Island Development Committee which made the decision, I registered the support of the Committee based on the Public Works Committee's advice and recommendations. As the Island Development Committee had neither discussed nor decided its general policy towards proposed Grade 1 listed buildings and as the question of listing the existing building no longer formed part of the issue I made no reference to it in the debate."

Supplementary questions and answers

Senator Rothwell - "Would not the President agree that in taking the initiative in bringing Mr. Ratter over for a specific purpose, that is to recommend listed buildings, that the Island Development Committee and Mr. Ratter must feel very despondent and the public generally, if two of the best known buildings, and we will come to the other one later, the first one Government House, one of the best known buildings on the Island, you agree to demolish before you have an opportunity to recommend yay or nay, do you think that's the best way to proceed for any Committee?"

President, Island Development Committee - "My Committee is satisfied that it conducted its affairs in the proper manner as I have said in answer to question 6 any listing was only provisional and my

Committee had not followed or had not discussed the listing of buildings per se."

Senator Brooke - ``Subsequently now, presumably the Island Development Committee has discussed listing, are all buildings currently listed subject to an embargo on development now?"

President, Island Development Committee - ``They are not and they will not be under any embargo. It's not an embargo as the Senator has explained, a listing does not stop any development on that building but that is a matter for discussion on a future occasion when the Island Development Committee will bring forward proposals for the listing of buildings. Until such time that this House agrees to the proposals of listing then there is no embargo on any buildings on the Island."

Senator Rothwell - ``But does not the President agree that for the purpose of ensuring the public are well served by its elected representatives that this vital piece of information should not have been denied to this legislature in making a decision whether to demolish Government House or not?"

President, Island Development Committee - ``Those proposals to list Government House were not before my Committee at the crucial time."

Senator D.A. Carter - ``I understood the President to say whether it was a week ago or a fortnight ago, or four weeks ago that the owners of soon to be listed or prospective listed buildings, each owner had been contacted by the Island Development Committee by letter and had in effect been given the information that their building was a proposed list and that therefore sympathetic schemes would have to be brought forward if those properties were ever developed. Is it right that in fact without having an official list the Committee has been writing to owners of buildings on the

proposed list and telling them that their buildings are going to have to be preserved?"

President, Island Development Committee - ``The listing process was that any property that was proposed as a possible listing the owner of that property would have been written to or should have been written to and advised that it was proposed that the possible listing of that property would take place and they had a statutory length of time to reply to that letter before anything went forward. No way are we anywhere near that situation and it is most unfortunate that the media through surreptitious means got a list of proposed sites of special interest. It is unfortunate but we can't stop those things happening, they have a way of happening and my Committee is not far enough down that avenue where people will be told you cannot do this with your property."

Senator Carter - ``Was such a letter sent to the owner of this building, Public Works?"

President, Island Development Committee - ``I would want notice of that because I do not know, and I do not want to mislead the House in any way. If there was a letter sent to the Public Works Department then I am not aware but it might have been but I can find that answer out for the Senator in due course."

Senator Rothwell - ``Would the President agree, this is for the information of the House, that Mr. Ratter was especially invited to a meeting of the Island Development Committee to explain his views on Government House prior to the debate and furthermore in view of answers already given by the President, is he saying then that the member of the Island Development Committee who also serves on Public Works was sworn to secrecy about this possible Grade 1 listing?"

Deputy H.H. Baudains - ``Senator Rothwell is obviously referring to me as the special member on both. I was not sworn to secrecy, we had not at the time (Public Works) discussed the building, to my recollection been told it was a proposed Grade 1 listed building. We had not received a report from Mr. Ratter in Island Development Committee at the time Public Works were discussing it, as far as my knowledge goes. It is very difficult serving on two Committees in the same Committee room without referring back to Minutes to remember exactly what happened when. But my recollection is that we hadn't been told and I think that the answers support that, that Johnathan Ratter's report hadn't been submitted to the Island Development Committee until November and Public Works were discussing it in October."

Senator Rothwell - ``I appreciate what the Vice-President is saying, would he also accept that the officers of the Island Development Committee would know and would have advised the Committee?"

Deputy Baudains - ``In November, but not in October".

Question 7 - Withdrawn.

Senator Rothwell

Question 8

``Could the President inform the House of the actual date his Committee issued a planning permit to the owners of the Ritz Hotel site and what buildings were proposed in the approved application?"

President, Island Development Committee

``The first approach the Planning Department received for development on this site was in August 1985, when the Modern Hotels Group was considering the acquisition of the freehold of the Ritz Hotel on which they had a leasehold interest until 1997. The company sought to demolish the Ritz

Hotel, to extend the Metropole Hotel which adjoins it by approximately 65 rooms and to construct offices on the residue of the site. The meeting was confirmed by a letter from the Group's architect which was considered by the Committee on 30th September 1985 (nearly 10 months before Volume 2 of the Island Plan was published and over two years before it was approved), when it was decided that a scheme like that proposed would not be acceptable to the Committee because it did not favour the office content. The Committee would have preferred to have seen housing at the eastern end of the site, but accepted that the commercial realities would preclude its sole use for this purpose. It was suggested that the company investigate the viability of a mixed development comprising shopping and offices with residential accommodation above.

On the strength of this advice, the company decided to acquire the freehold (probably at some time in 1986). Subsequent meetings between the owners and the Planning Department confirmed that a development wholly for offices at the eastern end of the site would be unacceptable.

An application for planning permission was registered on 20th October 1987 for the -

'demolition of existing hotel and staff quarters and construction of new bedrooms with kitchens and public bar adjoining Hotel Metropole. Construction of four floors of office accommodation with car parking at the Ritz Hotel.'

This application was refused permission on 19th January 1988 for the following reasons -

- '1. The proposal would involve the introduction of an office use on land not identified for that purpose and would therefore be contrary to Policy CM12 of the Island

Plan.

2. The proposals do not contain adequate parking provision to meet the standards of the Island Development Committee.'

Discussions followed with the architects and the applicants on what the Committee might be prepared to allow on the Ritz Hotel site bearing in mind that the company wished to finance extensions and upgrading of the Metropole Hotel which adjoins it, and other hotel properties owned by the Group. A sketch scheme was produced which indicated a mixed development comprising -

20,000 square feet of retail floorspace
30,000 square feet of residential floorspace
50,000 square feet of office floorspace.

This scheme was put to the Island Development Committee on 15th December 1988 for its preliminary consideration prior to a new application being submitted. The Committee accepted the mix of development in principle although expressing concern about some of the design aspects of the sketch proposals, which became the subject of further discussion between the architects and the Planning Department prior to the submission of a second planning application, registered on 22nd March 1989 for -

'a mixed development of self-catering, retail and offices with underground parking

Specifically, the proposals comprised -

self-catering tourist accommodation 17,886 square feet (15%)
residential accommodation 17,190 square feet (13%)
offices 56,157 square feet (50%)

retail and associated
uses 24,682 square
feet (22%)

The Committee decided to grant planning permission on 11th May 1989, and a permit was issued on 23rd June once certain technical matters had been cleared.

I have answered the question in this way to demonstrate to the Senator and to members of the House that discussions on development proposals emerge over a period of time (what the Finance and Economics Committee call their 'pipeline' sites) and in that evolution my Committee, in the interests of good government, seeks to take a fair and consistent line. It is not appropriate for the Committee to change its mind every time the political mood changes.

In 1985 and 1986 when the first discussions took place and the Committee gave advice, there was no approved Island Plan, there was no moratorium on office development and there was no evidence of a willingness on the part of the Finance and Economics Committee or the States to pay exorbitant sums to acquire commercial sites for housing. Indeed, in 1987 my Committee had to persuade the Finance and Economics Committee to accept that Policy CM12 should be included in the Island Plan. That Committee at the time felt that it was too restrictive, and fettered the development of the Island's financial sector.

Since the Island Plan was approved by the States, the Committee has applied it fairly and consistently. Policy CM12 of the Island Plan reads as follows -

^The location of new office development will generally be restricted to the defined areas of the town of St. Helier where proposals will be considered on their merits. Development outside

the defined areas will normally be resisted.'

The use of the words generally and normally and the phrase proposals will be considered on their merits are most significant. They reflect the fact that the Committee has a duty under the law to exercise discretion on each and every application. This was confirmed in a letter from H.M. Attorney General to the Planning Department last July in which he cites Wade, Administrative Law, 5th Edition where at page 330 it says -

`An authority can fail to give its mind to a case, and thus fail to exercise its discretion lawfully, by blindly following a policy laid down in advance.'

On 22nd August 1989, I made a statement to this House, under the heading `Office Development', in which I attended to the above points, and also described the way in which the Committee has exercised the discretion inferred in Policy CM12 since it was approved by the States at the end of 1987. In addition to the requirement to consider the merits of each case, I listed five circumstances in which my Committee might be minded to grant permission for office development outside the defined area. They included, among others -

`(d) where opportunities exist for `planning gain' by allowing new office use as part of a mixed development on the site which includes the provision of new housing units and environmental improvements.'

I do not recall any objection from members of the House when I made that statement. The facts of the Ritz Hotel case are that -

1. The Committee indicated to the applicant as far back as 1985 that there was a case to allow office

development as part of a mixed development.

2. The approved plans reflect the following benefits -
 - (a) a substantial improvement to the Metropole Hotel in the interests of the tourist industry;
 - (b) a more attractive development at this gateway to the town;
 - (c) the provision of 28 residential units on a commercial site where none previously existed (other than as hotel staff accommodation);
 - (d) underground car parking for 71 cars.

Members should recall that this House approved the purchase of commercial sites for housing, almost regardless of cost, as recently as four weeks ago. The permission pre-dates the office 'moratorium' of the Finance and Economics Committee; it accords with the policy that my Committee had followed since the Island Plan was approved; and pre-dates my statement to the House indicating what that Policy was.

The permission was the culmination of nearly four years of negotiations with the owners of the site and their architects, and was thus, in the parlance of the Finance and Economics Committee, 'in the pipeline'.

To have withheld permission as a device to reduce the value of a site which the States might, some nine months later, decide to acquire would, in view of the negotiations that had taken place over four years, have been a gross and iniquitous abuse of the Island Planning Law.

I should like to make two additional points in concluding this answer.

First, it was said in the debate on

27th February quite pointedly, that the States were being asked to pay out considerable sums to 'buy back the pieces of paper that the Island Development Committee had issued'. Do not forget that the proposals for the Ritz Hotel allow for the construction of 28 units of residential accommodation. The estimated yield of the site wholly for housing is 34 units (albeit two-bedroom as distinct from one-bedroom). The States have effectively agreed to pay over #5 million for an increase of six housing units plus the cost of building them.

Perhaps the House will appreciate my concern at the Policy and Resources Committee's proposition.

Second, even had my Committee not issued a planning permit, the first thing that the valuers of both sides would have done (in the absence of such a permit) is to write to the Island Development Committee asking what development it would have approved on this site had the States not wished to purchase it. In the light of its decisions of 30th September 1985 and 15th December 1988, it would be bound to say that it would be minded to approve a development almost identical to that which has since been formally permitted."

Supplementary questions and answers

Senator Rothwell - "Would not the President agree that although he gives various dates and four years before negotiations were completed, etc. that in the Island Plan Volume 2 plans and policies approved by this House he states that for its part the Island Development Committee is limiting the physical opportunities for office development and by process of exclusion removing the hope value of sites outside the defined office areas. That's in 1987. Would he not agree that that would convey the impression to States' members and the general public that we were taking a tough line and not giving hope value to sites outside the office areas and,

furthermore, would the President not also further agree that in planning terms under Article 2 the purpose of the Law is to ensure that land is used in a manner serving the best interests of the community. Now can that be said to be true if you agree to the creation of banking halls and retail shops, therefore creating more opportunities for employment at a time clearly when the whole Island and the States in particular agree they must be going completely in the opposite direction?"

President, Island Development Committee - ``I am sad to note that the Senator has failed to grasp the reading of the answer to his question. Because I think that what he is querying now is adequately explained in my answer and perhaps if he has got further questions on that he might come to me perhaps at a future meeting of this House once he has been able to research and assimilate what I have said and be able to research and come back to me and I would be happy to explain any points but I am absolutely confident that my Committee acted absolutely correctly at all times."

Senator Rothwell - ``Are we to take it that in strict planning terms we are to expect from the Island Development Committee the continuation of allowing office sites to be accepted by that Committee irrespective of the moratorium, and retail shops irrespective of the fact that we are all trying to curb immigration, and at a time when we are actually in desperate need of housing sites and, furthermore, why did he not as the President of the Island Development Committee along with his Committee take the initiative knowing full well what the climate of opinion was to acquire those sites long before issuing those permits on behalf of the public?"

President, Island Development Committee - ``That last statement is because it wasn't the flavour of the month, wasn't acquisition of

commercial sites in the town of that value to acquire for house building. That was why we did not consider it and perhaps in the longterm the policy of my Committee not to acquire them wasn't a policy not to acquire them the fact that we did not acquire them might show that we were allowing some commercial sizeable property to remain in St. Helier as opposed to coming completely all residential."

Senator Rothwell - ``Can we expect then because of the strict association with planning laws as he sees it we can expect more office development proposals to be accepted by that Committee and more retail shops, etc.?"

President, Island Committee
Committee - ``My Committee is not entertaining applications for office development outside any area and considering that policy where Finance and Economics have got a moratorium on the building of office development we have close co-operation with the two committees and there is no fear that unrealistic office development will take place."

Senator Rothwell - ``Is he then saying that he is abandoning the pure planning law as he sees it and accepting the views of the Policy and Resources Committee and this House?"

President, Island Development
Committee - ``I'm not saying that at all. The planning law will apply and we will receive and deliberate on all applications that come before us."

Senator Carter - ``I am interested in this pipeline defence. It seems to me, and I would like the President to confirm, that what he effectively seems to be saying is that the decision of his Committee to actually finally grant the planning permission in 1989 might by that time possibly have been a little inconsistent with other States' decisions at the time but that in fact the real decision was taken back in 1985 and is the

President really then saying that once his Committee has suggested that a certain type of commercial scheme is acceptable then that is then binding on the Committee subsequently and it can't then in fact give due consideration to each plan it has to in effect be bound by its previous indication that a certain use was acceptable. Is that what he is telling us?"

President, Island Development Committee - "I would be delighted for the Attorney General to confirm what I have been saying in statements to the House and in this answer."

H.M. Attorney General - "The duty of the Island Development Committee as the Royal Court has found on a number of occasions is to consider the application which is made to it, to apply the application to its terms of reference under the law and to reach a reasoned and consistent decision. If the Committee makes an in principle decision with regard to a particular site or to a particular application that is clearly a very important factor when it comes to reconsider the matter in two or three years time, and if the Committee reaches one decision in 1985 and a different decision in 1988 it is not unlikely that in relation to that matter the Royal Court would find that the Committee has been acting inconsistently and unreasonably. Now clearly there are matters of degree to be taken into account in every such factor and the longer the period of time which has elapsed since an indication was given the greater the possibility there is that the Committee can properly having regard perhaps to debates which have taken place in the House, take a different view in relation to a particular area, but it really is not possible to be specific to any greater extent than that because every case obviously depends on its own particular circumstances."

Senator Carter - "I have got a further question for the Attorney

General. I notice the Committee in its reply to question 6 when it said why did it keep the listing of Government House confidential or secret, said the premature discussion could prejudice the proper process as required in the Island Planning Law. Now what the President has been telling us is that in 1985 the Committee, without receiving an official application but in exchange of letters, indicated that there might be a viable mixed development, it goes on later in the day to say that an exchange of letters in 1987 this will come later, the Committee prepared a planning brief for the Channel Television site and so what it seems to me the Committee has been doing for the last ten years or whatever is exchanging letters with potential developers which it and presumably the Attorney General then finds are virtually binding upon the Committee at a subsequent decision but without publishing, which they are required to do by law, any plan which gives the opportunity for neighbours or indeed anyone else affected to object to the proposed development. Now this seems to me to be far more prejudicial to the proper process of the Island Planning Law than anything to do with releasing listings of Government House. I would like the Attorney General to tell me - is it open now to a potential developer, rather than submitting an official planning application which requires publication in the Jersey Evening Post and thus alerts his neighbours to the potential development, to merely exchange letters with the Committee or ask the Committee to prepare a planning brief and if he receives that planning brief saying that he can quadruple the size of his pig farm for example, that that's likely to be alright by the Committee, then subsequently no matter what the neighbour says the Committee would consider itself bound by that previous indication?'

President, Island Development
Committee - ``My Committee does not
have a statutory need or requirement

to publish all the applications that come before it. We have some 4,000 applications a year and out of due deference to the community we publish some of them that we feel might be of interest, but we are not bound by the law in publishing any applications that come before it. There is no need by law, we do it as a matter of courtesy."

Senator R.R. Jeune - "Is it a fact that it is a matter of courtesy, I thought it had been agreed by this House?"

President, Island Development Committee - "It is a matter of courtesy and I would be happy to discuss it at length with the Senator. I made a statement that we would no longer be publishing the small sort of change of window or putting a downstairs toilet, etc. we would not be publishing those in future but statutorily we are not obliged to and perhaps former Presidents of the Island Development Committee would confirm that situation?"

Senator P.F. Horsfall - "I think it was the situation until we had a debate, I think, when Deputy de la Haye brought an amendment asking that even amendments to applications be published and the House then decided that everything would be published including amendments, so I'm not sure where that leaves the earlier policy but certainly one time it was not binding on the Committee to publish, so I suspect now it probably is.

I appreciate what has been said about the pipeline business in 1985, what I don't understand is that on 19th January 1988 according to the reply, the application was refused for the following reasons -

'1. the proposals would involve the introduction of an office use on land not identified for that purpose and would therefore be contrary to Policy CM2 of the Island Plan.'

That was in 1988 and I assume therefore that the slate had been kept clean until that point in time. If the Committee was able to refuse the application in 1988 because of the introduction of office accommodation why are we now saying that they had a commitment right back to 1985?"

President, Island Development Committee - ``As far as my Committee is concerned there had been valid negotiations between the officers of the Department and the applicants. We so carried on discussing and saying this is not right, as the Senator will know, these negotiations go on for a very long time and what was there formerly is changed and it's a degree of negotiation that answers and achieves a final application. I can only say that what eventually came before my Committee was acceptable to my Committee and to my officers."

Senator Carter - ``Again reading that particular history, will the President confirm that the application for planning permission on 20th October 1987 was published, and it was an official application and considered by the Committee, and it was published before being refused in January, but however, the scheme put to the Island Development Committee on 15th December 1988 was one of these discussion schemes, it was not published and that the Committee at that time it says here accepted the mix of development in principle and then will have come a second planning application which presumably did go through official channels and was published on 22nd March 1989. So yet again we have a situation where you have two published schemes but in the meantime the actual approval has been given to one which presumably was not published?"

President, Island Development Committee - ``I would want notice of that because I can't remember whether that application was advertised or not. If it was a formal application that came before my Committee it would

have been advertised in the Jersey Evening Post."

Senator Carter - ``To assist the President it says `this scheme was put to the Island Development Committee on 15th December 1988 for its preliminary consideration prior to a new application being submitted. The Committee accepted the mix of development in principle."

President, Island Development Committee - ``I would like to have a look at this. To give a factual reply to the Senator it is not fair to throw that at me without me having the opportunity of researching because I do not want to give misleading information."

Senator Brooke - ``The statement here an authority can fail to give its mind to a case and thus fail to exercise its discretion lawfully by blindly following a policy laid down in advance. Now could I ask the President, the policy that was set out and which was accepted by this House for the containment of office development is one which I assumed was going to be rigorously applied, do I assume that any discussion with those about to apply for planning permits prior to the Island Development Committee's policy being accepted will negate that, that they can go on because the slate was not in fact wiped clean at all?"

President, Island Development Committee - ``I would refer the Senator to CM12 - the location of new office development will generally be restricted to defined areas of St. Helier where proposals will be considered on their merit. Development outside the defined areas will normally be resisted. That is quite correct they would be normally resisted, but if there was a planning gain and we were going to have 28 one-bedroomed flats in this development then it's all weighed up in the interests of the community and there were not 28 flats before that

application came to my Committee."

Senator Brooke - "In other words a 70 per cent retail and office development would be considered acceptable because of the minute residential gain?"

President, Island Development Committee - "It was considered acceptable at the time that we made our decision".

Senator Rothwell - "I think it's very important, this question of publication in the Jersey Evening Post because the public are certainly led to believe it is a requirement. In view of what the President has said, unless it can be substantiated that it is not a legal requirement, would the President come back to this House and ensure that it is made a legal requirement and furthermore until that time and perhaps even so, would he please ensure that he is more careful about the way in which letters are written to would be developers?"

President, Island Development Committee - "My Committee will consider the Senator's comments and if it so feels that it is right for the community will come back to this House."

Senator C. Stein - "Would not the President of the Island Development Committee agree that a decision was made in this House that if applications were renewed that they would be published again because I asked for that proposition and I won that debate?"

President, Island Development Committee - "If the plans are changed in any way on a major application they are again published in the Evening Post by courtesy of my Committee."

Deputy M.C. Buesnel - "Is the President satisfied that he has enough discretion in using the planning law to use it in the best interests of the

public and if he is not satisfied that he has that discretion, will he come to the House to change the law?"

President, Island Development Committee - "I thank Deputy Buesnel for his comments and I am satisfied that the planning law gives us all the powers that are needed to develop or not develop the Island for the best interest of the community."

Senator Rothwell

Question 9

"Could the President give the actual date a planning permit was issued to the owners of the Channel Television site, Rouge Bouillon?"

President, Island Development Committee

"Again, it is inappropriate to give a simple answer to this superficially simple question without explaining some of the background to this site.

In June 1987, I received a letter from the (then) Managing Director of Channel Television Limited asking what uses the Committee would allow the 'CTV site' to be put, as the company needed to sell the site to part-finance its move to La Pouquelaye.

The Committee considered the matter at its meeting on 15th June 1987, and recognised that in terms of the Use Classes (Jersey) Regulations the use was unique - there being no use class to describe television studios. The Committee thus turned to the way in which the site was used and concluded that the use was predominantly an office use and effectively the site had an established use for this purpose. Accordingly, the Committee approved a brief at that meeting prepared in the Planning Department outlining the development potential for offices (at a plot ratio of 1.5:1 - gross floorspace to site area

which is much lower than we would allow in the town centre).

The brief was forwarded to Channel Television Limited, and as far as I am aware, became part of the sale particulars when the company sought to dispose of the site. That was three years ago.

Our files show a copy of a letter from the Chairman of CTV to the (then) President of the Public Works Committee, dated 3rd August 1987, offering a first option to the States to acquire the site, and a file note indicating that the Planning Department considered that the site would be appropriate either for housing or for a new Magistrates' Court. I do not know why the offer from CTV was not taken up by the Public Works Committee of the day.

An application to demolish the buildings and construct an office building broadly in accordance with my Committee's brief was made on 20th May 1988 on behalf of the new owners of the site, but was refused permission on 31st August 1988 primarily on design grounds and the adverse effect it would have on adjoining properties, but not on the principle of its use for offices.

A further application for planning permission was made by prospective purchasers of the site on 1st March 1989 - again for office development, but this time wholly within the parameters of the Committee's brief. A planning permit was issued on 2nd June 1989 following the Committee's consideration of the application on 1st June 1989.

I will remind members that commitment to office use on this site was made by the Committee on 15th June 1987."

Supplementary questions and answers

Senator Rothwell - ``There would be no doubt that separate discussions as to whether or not the primary purpose of

Channel Television site was office use. On the contrary it was predominantly to provide television programmes and transmit those programmes. Why did not the Island Development Committee really show the initiative in pure planning terms to restore this site to residential use in a predominantly residential area?"

President, Island Development Committee - ``It is not for me, or it is not for my Committee to decide that we would acquire the property for housing. It is either for the Public Works Committee that looks after the Island's property or the Housing Committee and at the time that that property was offered to us we could have bought it but it was turned down as not being suitable for the Island."

Senator Rothwell - ``Could the President not explain what the #11 million that he is given for site acquisition is, if he is not in a position to buy sites or come to this House to get extra money to buy sites, after all Policy and Resources did acquire that site?"

President, Island Development Committee - ``Yes. Because they were the flavour of the month and that was just a few months ago that negotiations took place but at the time we could have bought property in 1987 that was not the case."

Senator Carter - ``Could the President explain the last sentence where he says that he reminds members that commitment to office use on this site was made by the Committee on 15th June 1987, would he confirm that by reading the body of the reply again this so called commitment is not in fact the consideration by the Committee of either a planning application or a development application but again is an exchange of confidential letters and that no one would have had the opportunity to know anything about it?"

President, Island Development Committee - ``The Senator is not aware that owners of property, developers of property, acquirers of property come to the Planning Department day in and day out and discuss various properties with our officers, this is an on going thing and you can't stop it because it is reasonable for an owner, acquirer, or developer to have an indication from the planning authority of the Island as to what could be developed on that site. At that time, my Committee made the decision that it would be prepared to allow a development of offices which was predominantly the office use of that site. Senator Rothwell said that we had the #11 million, why didn't we go out and buy, we didn't have #11 million to go and buy it, we've done it now but at the time in 1987 my Committee did not have #11 million to go and buy property for housing."

Senator Horsfall - ``On this question of use classes, could I ask the President and I'm not in any way on this occasion criticising him because I blame myself as much as anybody else, this use classes business has come up as being too restrictive by committee after committee in Senator Shenton's time, in my time, and every time we say we will revise the use classes but none of us ever do for some reason or other. Could he in fact tell us whether he is intending to revise the use classes?"

President, Island Development Committee - ``On the third presidency, I'm pleased to tell the Senator that we are indeed studying a complete revision of the use classes and that will come into force I trust in the not too far distance."

Senator Rothwell

Question 10

``As the President is also a member of the Policy and Resources Committee and, therefore, completely aware of that Committee's intentions to

recommend the acquisition of urban commercial sites for States' housing, could he explain to the House whether this information was imparted to members of his Island Development Committee?"

President, Island Development Committee

"Of course it was, but remember that the commitments on the Ritz Hotel and Channel Television sites were made before Policy and Resources Committee first discussed the acquisition of commercial sites.

The policy emanates from the Island Plan, although it has to be said that at no time did the Island Plan consultants, or the Committee or States of the day, envisage the acquisition of such expensive pieces of real estate to achieve this end. The Committee and the Department has worked closely with the Policy and Resources Committee and its officers in providing information and determining the 'uses to which it would be likely to agree' for valuation purposes on the various sites that were being considered for acquisition."

Supplementary question and answer

Senator Rothwell - "Would the President agree though that by giving planning permission he increased astronomically the value of the sites?"

President, Island Development Committee - "I would not agree."

Senator Rothwell

Question 11

"In issuing these permits is the President satisfied that his Committee acted in a manner serving the best interests of the community?"

President, Island Development Committee

"Without a doubt, yes."

Cable television. Questions and answers

Senator Richard Joseph Shenton asked Senator John William Ellis, President of the Telecommunications Board, the following questions -

Question 1

``Will the President inform the House as to when his Committee will be making a decision with regard to the contract for cable television?''

President, Telecommunications Board

``The involvement of the Telecommunications Board with cable television arises from Article (2) of the Telecommunications Jersey Law. This article ensures that the running of a television system using cables requires a licence from the Board. The same Law, in Article 4 exempts broadcasting authorities, both television and sound, from the need for a licence if, as they do, they broadcast by means of wireless telegraphy or radio waves as it is commonly called.

When full scale, i.e. 30 or more channels, cable television was proposed for the island, the Board took the view that it was not the appropriate body to licence or control such a service. Clearly, when the law had been drafted, cable television had not been considered, and would have been given the same exemption as television if it had. It was seen by the Board from the outset, that its rôle as a potential provider of duct space or cables, would be inconsistent with the rôle of controlling body and licensing authority.

Furthermore, the Board believes that because of the fundamental effect of full scale cable television on the

island a regulatory body with supporting legislation should be appointed by the States. Accordingly, the Board prepared a draft on which such legislation might be based and sent it to the Greffier of the States on 20th January 1986.

Subsequently, it became clear that any licensee running a cable television system might wish to become a competitor of the Board in the provision of selected telecommunications services, and the Board's rôle as regulator became even more inappropriate.

The Board is still of the firm opinion that it should be taken out of the sphere of the cable television, and that a regulatory body should be established together with supporting legislation.

The House should note that the existing regulations in the United Kingdom will shortly be replaced by a new Broadcasting Bill, which in part could be used as a model for a Jersey law.

The Board has already sought the advice of Her Majesty's Attorney General on the issue of cable television, and will consider this advice at its next meeting on 30th March.

I will report to the House at the first Sitting after that meeting."

Senator Shenton

Question 2

"Is the President aware that the delay by the States in coming to a decision is denying the consumer the right of free choice and an improved service?"

President, Telecommunications Board

"The delay is not of the Board's choosing."

Wholesale newsagency business and monopolies legislation. Questions and answers

Senator Richard Joseph Shenton asked Senator Reginald Robert Jeune, President of the Policy and Resources Committee, the following questions -

Question 1

``Will the President inform the House whether his Committee views with concern the recent move by the Jersey Evening Post to enter the wholesale newsagency business?''

President, Policy and Resources Committee

``It is not exactly clear from the Senator's question why he believes my Committee should view with concern the recent move by the Jersey Evening Post to enter the wholesale newsagency business. I assume the concern is that the change from the current situation, where it is understood one company is the sole distributor of national newspapers in the Island, will be detrimental to the best interests of Island residents as purchasers of those newspapers. To date my Committee has had no representations made to it in this respect, but should such representations be made I can assure the Senator they will be fully considered.''

Supplementary question and answer

Senator Shenton - ``I'm sure the President will accept my view as a representation of the concern and I stress the concern in the matter of free speech. For some time now I am sure that the President must be aware that the Jersey Evening Post has been buying up independent retail outlets and restricting the delivery of its own newspapers at the same time buying up other journals in the Island and magazines and would it not be something that this government should

view with concern bearing in mind that in matters regarding broadcasting or journalism there are certain criteria established to ensure that the public is not put in a position where they are presented with news from a sole source and indeed the effect on advertising and the competition that would ensue is also affected somewhat by this position?"

President, Policy and Resources Committee - ``The question of news being presented from a sole source does not arise in this Island. This is the distribution of it. I think what the Senator is asking is contained in the other answers relating to monopolies legislation which is a complicated business but at the end of the day is a matter of deciding as I understand it what is in the interests of the public as a whole, not an easy matter, but is something with which this House and the Senator as a member of the Policy and Resources Committee as I say we could well address but perhaps it would be as well if we went on with the other questions and answers and then he might wish to return to supplementaries at the end."

Senator Shenton

Question 2

``Will the President confirm that the monopolies legislation should be updated to safeguard small local businesses from being taken over by large corporate companies?"

President, Policy and Resources Committee

``The Senator asks that the monopolies legislation should be updated. However, at the present time the Island has no such legislation. In 1987 the Policy Advisory Committee presented a report and proposition to the States on property speculation and monopolies. On the subject of monopolies the Committee obtained the views of Sir Godfray Le Quesne Q.C. who at that time was Chairman of the

Monopolies and Mergers Commission in the United Kingdom and, as such, spoke with vast experience of these matters. The Policy Advisory Committee recommended that legislation should be prepared which would enable a Committee to refer a possible monopoly situation to a panel of persons nominated by the States to investigate and, if such a situation was found to exist to the detriment of the public interest, for the appropriate remedies to be recommended and enforced. That proposition was adopted by the States on 5th May 1987 and the Policy Advisory Committee at its meeting on 1st June 1987 requested the Law Draftsman to prepare the necessary draft legislation to give effect to the recommendation.

Whether monopolies legislation would safeguard small local businesses from being taken over by larger local businesses would of course depend on how the public interest is interpreted. The wider public interest and the interests of small local businesses would not necessarily be one and the same.

As a member of the Policy and Resources Committee the Senator will know of the current backlog of legislation. The drafting of monopolies legislation has been delayed because of a shortage of law drafting resources and pressure for other legislation which has been considered to have a higher priority. The capacity of the law drafting section has now been enhanced, and as the Senator knows the relative priorities of the legislation that is in the pipeline is something that the Policy and Resources Committee is in the process of reviewing in consultation with the presidents of those committees concerned. There will therefore be an early opportunity for the Senator to indicate what priority he would attach to monopolies legislation in relation to other legislation in which he may have an interest."

Senator Shenton

Question 3

``Is the President aware of the pressure being placed upon small independent newsagents by the Jersey Evening Post?"

President, Policy and Resources Committee

``I am not aware of pressure being placed upon small independent newsagents by the Jersey Evening Post. However, if the Jersey branch of the National Federation of Retail Newsagents has evidence of such pressure being applied to its members, perhaps they would care to document this. The substance of the concern of small independent newsagents could then be properly assessed, a response sought from the JEP, and open discussion initiated on the extent to which any action by the latter so identified could be said to be against the public interest."

French nuclear installations.
Statement.

Deputy Robin Ernest Richard Rumboll of St. Helier, on behalf of the Defence Committee, made a statement in the following terms -

``Members will be aware that concern had been expressed in the local press and media arising from isolated extracts obtained from a report prepared by the Chief Inspector for Nuclear Safety at Electricité de France.

Immediately following the publication of the press reports, on behalf of the Defence Committee I was able to contact the appropriate French authorities as a result of which I and the Connétable of St. Helier representing the Defence Committee, together with the President of the Guernsey Civil Defence Committee and his Civil Defence Officer visited the nuclear power station at Flamanville

on Friday, 23rd March 1990, where we were given copies and explanations of the full report prepared by M. P. Tanguy entitled 'Nuclear Safety at EDF at the end of 1989'. Contrary to suggestions, this report is not confidential and comprises the last of a series of annual reports prepared by the Chief Inspector for Nuclear Safety for internal consumption by experts and technicians in the French nuclear power generation field.

The report prepared by M. Tanguy follows regular and routine annual safety inspections at all the EDF nuclear installations and contains a number of highly technical recommendations for future improvements. The report does not suggest that the plants are faulty, but merely emphasises that safety continues to be of paramount importance to all EDF and other nuclear installations. Accordingly, the safety of the installations is a continuing and constantly changing responsibility.

The safety and integrity of French nuclear installations are subject to regular and intense scrutiny of both design and operating functions not only by safety experts from the operating companies, but also by national and international supervisory and regulatory bodies.

I am grateful to the French authorities for their continued co-operation in answering the concerns that are from time to time expressed. I am pleased to report that as a direct result of our recent visit, the Director of the EDF centre at Flamanville has agreed to include the Islands in the list of recipients of results of their monthly measurements of levels of radioactivity in the environment, and this will enable us to make direct comparisons with the regular information already available to us. The Director also repeated his willingness to continue the excellent cooperation with the relevant Channel Islands authorities."

Police Headquarters - garage extension, offices and lift: approval of drawings

THE STATES, adopting a proposition of the Defence Committee -

(a) approved drawings Nos. 2736/27, /28, /30, /31, /32, /33, /34, /35, /37 and /38 showing the construction of a garage extension and offices with lift at Police Headquarters, Rouge Bouillon, St. Helier;

(b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Housing Committee: vote of no confidence. P.34/90

THE STATES rejected a proposition of Senator Corrie Stein that they have no confidence in the Housing Committee.

Members present voted as follows -

``Pour" (5)

Senators

Le Main, Stein

Deputies

R. Rumboll(H), Bailhache(H),
Baudains(H).

``Contre" (40)

Senators

Jeune, Binnington, Horsfall, Ellis,
Baal, Rothwell, Brooke, Le Maistre,
Carter.

Connétables

St. John, St. Peter, St. Helier, St.
Lawrence, St. Mary, St. Ouen, St.
Brelade, Trinity, St. Martin,
Grouville.

Deputies

Morel(S), Le Gallais(S), Trinity
Vandervliet(L), Blampied(H),

Billot(S), Norman(C), St. John, St.
Peter, St. Martin, Baudains(C),
Buesnel(H), C. Rumboll(H), Le
Sueur(H), St. Ouen, Coutanche(L),
Huelin(B), St. Mary, Rabet(H),
Grouville, Clarke-Halifax(S).

Victoria Pier surfacing: transfer
of funds. P.30/90

THE STATES, adopting a Proposition
of the Harbours and Airport Committee,
authorised the transfer of the sum of
#70,000 from the vote of credit CO241 to a
new vote of credit CO250 'Surfacing La
Collette', thereby providing funds for the
surfacing of an area of Victoria Pier.

Data Protection (Regulation of
Financial Services, etc.) (Subject Access
Exemption) (Amendment) (Jersey)
Regulations 1990. P.31/90

THE STATES, in pursuance of
Articles 29 and 40 of the Data Protection
(Jersey) Law 1987, made Regulations
entitled the Data Protection (Regulation of
Financial Services, etc.) (Subject Access
Exemption) (Amendment) (Jersey) Regulations
1990.

Milk Marketing Scheme (Amendment
No. 8) (Jersey) Act 1990. P.33/90

THE STATES, in pursuance of
paragraph (6) of Article 2 of the
Agricultural Marketing (Jersey) Law 1953,
as amended, made an Act entitled the Milk
Marketing Scheme (Amendment No. 8) (Jersey)
Act 1990.

THE STATES then adjourned, having agreed
that the outstanding items of Public
Business should stand over until the next
Meeting.

THE STATES rose at 5.30
p.m.

E.J.M. POTTER

Greffier of the States.