

STATES MINUTES      12th February 1991

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THE STATES assembled on Tuesday,  
12th February 1991 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Peter Crill, C.B.E.

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His Excellency the Lieutenant Governor,  
Air Marshal Sir John Sutton, K.C.B.,  
was present.

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All Members were present with the exception  
of -

Senator Terence John Le Main - out of  
the Island  
Maurice Clement Buesnel, Deputy of St.  
Helier - ill  
Terence Augustine Le Sueur, Deputy of  
St. Helier - out of the Island  
Shirley Margaret Baudains, Deputy of  
St. Helier - ill

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Prayers read by the Bailiff

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Subordinate legislation tabled

The following enactment was laid  
before the States, namely -

Misuse of Drugs (Addicts)  
(Amendment No. 3) (Jersey) Order  
1991. R & O 8171.

The Jersey Electricity Company  
Limited Directors' Report and Statement of  
Accounts for 1990

The Finance and Economics Committee

by Act dated 21st January 1991 presented to the States the Jersey Electricity Company Limited Directors' Report and Statement of Accounts for the period 2nd October 1989 to 30th September 1990.

Statement of births, marriages and deaths in 1990. R.C.1

The Etat Civil Committee by Act dated 5th February 1991 presented to the States a statement of the number of births, marriages and deaths registered during the year 1990.

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

Regulation of Undertakings and Development Law: policy statement. R.C.2

The Finance and Economics Committee by Act dated 4th February 1991 presented to the States a policy statement regarding the Regulation of Undertakings and Development Law.

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

Regulation of Undertakings and Development Law: quarterly manpower returns. R.C.3

The Finance and Economics Committee by Act dated 4th February 1991 presented to the States a report covering the quarterly manpower returns provided under Article 2A of the Regulation of Undertakings and Development (Jersey) Law 1973, as amended, for the quarter ending 30th September 1990.

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

Welfare benefit: revised rates from 1st January 1991. R.C.4

The Finance and Economics Committee by Act dated 4th February 1991 presented to the States a report setting out the revised rates of welfare benefit from 1st January

1991.

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

Matter noted - land transactions

THE STATES noted Acts of the Finance and Economics Committee dated 21st January and 4th February 1991, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

(a) as recommended by the Housing Committee, the purchase of the Quatre Bras Hotel, Springfield Road, St. Helier from National Westminster Bank Plc. for the sum of #300,000 with each party being responsible for its own legal costs;

(b) as recommended by the Public Health Committee, and in accordance with an Act of the States, dated 25th April, 1989, the purchase from Mr. Paul Gibbard and Mrs. Joy Gibbard née Wolverton of the property 7 West Park Avenue, St. Helier required for staff accommodation for the sum of #142,500, with each side paying its own legal fees;

and in accordance with Act No. 6 of 3rd January, 1991 -

(c) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from North Jersey Construction Company Limited of a shed at Mont au Prêtre, St. Helier for the sum of #152,500, with the Committee's being responsible for all legal fees;

(d) as recommended by the Housing Committee, the sale to the Parish of St. Helier, of 310 square feet of land at Nos. 1 and 2 Old St. James' Place, St. Helier, for a consideration of #10, with the

Parish being responsible for the payment of all legal fees;

(e) as recommended by the Education Committee the renewal of the lease from Mr. Henry Bell, of 27 Manor Close, Samarès, St. Clement for a period of three years commencing 25th December 1990 at an annual rent of #6,500;

(f) as recommended by the Public Health Committee the lease from Pearl Assurance Plc. of the three-bedroomed property 22 Landfield Drive, St. Helier for a period of three years commencing 1st February 1991 at an annual rent of #7,800, subject to an annual review in line with the Jersey Cost of Living Index;

(g) as recommended by the Public Health Committee the lease from Mr. Oscar Rive of the property Ronville, Maufant, for the period 24th January 1991 to 24th December 1991, an an annual rent of #7,363.

#### Matters lodged

The following subjects were lodged  
"au Greffe" -

1. Draft Investigation of Fraud (Jersey) Law 199 . P.18/91.  
Presented by the Finance and Economics Committee.
2. Overseas Trading Corporation, St. Helier: purchase. P.19/91.  
Presented by the Island Development Committee.

The following subjects were lodged on 5th February 1991 -

1. Potato Cyst Nematode: research re. Jersey Royals. P.16/91.  
Presented by the Agriculture and Fisheries Committee.
2. Glasshouse industry: financial assistance. P.17/91.  
Presented by the Agriculture and

Fisheries Committee.

Draft Bankruptcy (Désastre) (Jersey)  
Law Appointed Day Act 199

THE STATES acceded to the request of the President of the Finance and Economics Committee that consideration of the draft Bankruptcy (Désastre) (Jersey) Law Appointed Day Act 199 be deferred from the present Sitting to the next Sitting on 26th February 1991.

Arrangement of Public Business for next Sitting on 26th February 1991

THE STATES confirmed that the following subjects lodged au Greffe should be considered at the next Sitting on 26th February 1991 -

Overseas Trading Corporation, St.  
Helier: purchase. P.19/90.  
Lodged: 12th February 1991.  
Island Development Committee.

THE STATES acceded to the request of the President of the Island Development Committee that this matter should be taken as the first item of Public Business at the next Sitting.

Draft Amendment (No. 13) to the  
Standing Orders of the States of  
Jersey. P.176/90.  
Lodged: 6th November 1990.  
House Committee.

Draft Amendment (No. 13) to the  
Standing Orders of the States of Jersey:  
amendment. P.190/90.  
Lodged: 4th December 1990.  
Deputy R.E.R. Rumboll of St.  
Helier.

Weighbridge area and west of  
Albert Pier reclamation site:  
development of roads. P.11/91.  
Lodged: 29th January 1991.  
Senator N.L. Querée.

Potato Cyst Nematode: research

re. Jersey Royals. P.16/91.  
Lodged: 5th February 1991.  
Agriculture and Fisheries  
Committee.

Glasshouse industry: financial  
assistance. P.17/91.  
Lodged: 5th February 1991.  
Agriculture and Fisheries  
Committee.

Draft Investigation of Fraud  
(Jersey) Law 199 . P.18/91.  
Lodged: 12th February 1991.  
Finance and Economics  
Committee.

Legal Fees (Tape No. 82)

Senator Richard Joseph Shenton asked Deputy  
Edgar John Becquet of Trinity, President of  
the Legislation Committee the following  
questions -

- ``1. In 1985 the Legislation  
Committee in a report on a  
proposition of Senator Shenton  
with regard to conveyancing  
fees states ``The Committee is  
not satisfied that, at the  
present time, the advantages  
of opening up the practice of  
conveyancing to non-lawyers  
would outweigh the  
disadvantages". Does the  
President consider that the  
time has now arrived for a  
proper investigation to be  
instigated on conveyancing  
charges.
2. Will the President inform the  
House as to the present scale of  
legal fees charged to the Island  
of Jersey and would he consider  
approaching the Bailiff in order  
that an investigation may be  
undertaken to review present  
charges.
3. Will the President inform the  
House of the difference between  
legal fees charged by the  
profession and taxed costs.

4. Will the President inform the House where specific changes which have taken place with regard to the United Kingdom legal system and are relevant to the Jersey situation have been considered by his Committee.
5. Will the President inform the House whether the time has come for any of our Laws which are still in the French language to be re-enacted in English.
6. Will the President support an examination into the Legal Aid system which at present appears to favour the irresponsible rather than the needy in our society?"

The President of the Legislation Committee informed the Assembly that he would reply to the questions at the next Sitting.

Management and disposal of waste products. Questions and answers (Tape No. 82)

Senator Nigel Lewis Querée asked Deputy John Le Gallais, Deputy of St. Saviour, President of the Public Services Committee, the following questions -

1. "Will the President inform the States, for the year ending 31st December 1990 -
  - (a) how much did it cost to operate the incinerator and associated disposal operations? Would the President give details such as routine maintenance, repairs, wages, capital servicing, and so on. Would the President also identify variable costs (those dependent upon the volume of waste) and fixed costs;
  - (b) what was the volume of solid waste burned in the incinerator;

- (c) for how long was each stream out of action for routine maintenance, repair or other reasons;
  - (d) how much did it cost to burn at Crabbé and what volume of waste was burned there;
2. Will the President inform the States how much the third stream is expected to cost in total and how much the Committee has estimated for capital expenditure for the incinerator and related solid waste disposal activities for the period 1992 to 1995.
  3. Will the President inform the States if it is expected that there will be more refuse than can be dealt with by the incinerator this year. What is the expected shortfall in capacity.
  4. Given that the problems of solid waste disposal in the Island have led the Resources Recovery Board, and lately the Public Services Committee, to burn at Crabbé; will the President inform the States whether his department considers that uncontrolled low temperature combustion, as would occur if domestic refuse were burnt on a headland, would lead to the generation of potentially hazardous emissions, and will the President inform the States what alternative methods of waste management have been investigated to deal with solid waste?"

The President of the Public Services Committee replied as follows -

- 1. (a) Wages #361,280
- Maintenance costs #199,130
- other variable costs (Power, water, chemicals) #163



,514

Ash disposal #9,109

TOTAL OPERATING COSTS #733,033

CAPITAL SERVICING #910,000

(b) 252,000 cubic metres  
(62,952 tonnes)

(c) the incineration plant was  
totally shut down for 314  
hours in 1990;

one or both of the streams  
were in operation for 96.4 per  
cent of the year and both were  
in operation for 56 per cent  
of the year.

(d) #16,646  
5,000 tonnes.

2. The cost of the third stream  
contract is #8.85m, to which must  
be added approximately #500,000  
for fees.

The Committee's capital programme  
estimates for the years 1992 to 1995  
include a number of items associated  
with solid waste disposal. These are -

1992 Major overhaul of No  
. 2 stream incinerator #300,0  
00

Stage 1 site  
improvements  
Bellozanne #560,0  
00

Land reclamation #5m

1993 Stage II site improv  
ements Bellozanne #1.8m

Possible 4th stream  
to incinerator plant #15m

Land reclamation #19m

1994 Stage III site improvements Bellozanne #1.8m

Possible gas cleaning #10m

1995 Stage IV site improvements Bellozanne #566,000

Improvements to Bellozanne site, Stages I-IV, 1992-95

The Department's waste disposal site at Bellozanne had never been the subject of a formal planning study.

In 1988 Sir William Halcrow and Partners were commissioned to carry out a preliminary study which would result in a report advising the Committee on the requirements for the development of the Bellozanne site for the future.

This report has now been received and recommends that considerable expenditure is necessary in order to increase the useful area of the site. One of the most important benefits which will accrue from this enlargement will be the ability to separate the public and the processing areas which, with current site restrictions, is not possible at present.

Refuse disposal, possible 4th stream to incinerator plant 1993

Refuse deliveries to Bellozanne have increased from 38,000 tonnes in 1980 to approaching 70,000 tonnes in 1990.

This represents an 85 per cent increase in 10 years. If this rate of increase continues, deliveries will approach 130,000 tonnes by the year 2000.

These forecasts do not include for the incineration of dried sewage

sludge which may become a necessity within the next few years. It may be necessary to dispose of between 2,000 and 4,000 tonnes of sewage sludge a year by incineration.

Over the past 10 years the view has been expressed many times, in various quarters, that the rate of increase of refuse deliveries cannot continue. The fact is that there has been no reduction in growth since 1975 and the predictions made in 1986 have since had to be adjusted upwards in the light of actual delivery figures.

A request for funds to instruct consultants to review the refuse disposal operations in the future has recently been made by the Committee.

Because of the short timescale, it is necessary that the States are alerted to the possibility of major expenditure. For this reason, a notional figure of #15m has been included in the capital estimates for 1993. This figure is based on current estimates for an additional incinerator plant stream.

#### Gas cleaning 1994

In June 1989, the E.C. issued directives to member countries specifying emission limits from existing incinerator plants. The Committee is minded that Jersey should comply with these directives, and equipment to enable these standards to be met could cost in the region of #10m. A preliminary planning vote is being sought to undertake investigations into the type and scale of equipment needed.

#### Land reclamation 1992-93

There will be a continuing need to provide capacity for the disposal of non-combustible waste material.

The indications are that the west of Albert site will be filled during the first half of 1992. Alternative short-term sites have been identified by the Island Development Committee, and a decision will shortly be made so that a new site can be available when filling is completed west of Albert.

The next long-term reclamation site is planned to the south of La Collette.

3. Yes. The estimated shortfall in capacity is 5,000 to 6,000 tonnes.
4. Low temperature combustion of domestic refuse in the open could lead to the generation of potentially hazardous emissions.

The following methods of solid waste disposal have been investigated -

- landfill
- composting
- pelletisation
- pyrolysis
- disposal at sea
- baling
- recycling.

While the first two alternatives have been adopted and subsequently rejected, it is only the expansion of the Department's current recycling programme which appears to offer a means of limiting the constant increase in volume for incineration."

Special Committee on Sex  
Discrimination: appointment of members

THE STATES, adopting a proposition of Senator Corrie Stein, appointed the undermentioned as members of the Special Committee on Sex Discrimination, namely -

- Mr. R. de Gruchy
- Mr. R. Hassell
- Mr. M. Kavanagh
- Mrs. P. Rudgard

Mr. M. Sheldrake  
Mrs. C. Wakeham  
Advocate Mrs. M. Whittaker.

Deputy Industrial Disputes Officer:  
appointment

THE STATES, adopting a proposition of Deputy Alan Payn Bree of Grouville and in accordance with Article 2 of the Industrial Disputes (Jersey) Law 1956, as amended, appointed Deputy Margaret Anne Le Geyt of St. Saviour as Deputy Industrial Disputes Officer.

Elizabeth Harbour passenger terminal building: approval of drawings

THE STATES, adopting a proposition of the Harbours and Airport Committee, approved Drawings Nos. 2848/00, 2848/02, 2848/03, 2848/11-M12, 2848/11-M13 and 2848/11-M15 showing the proposed construction of additional office space within the Elizabeth Harbour passenger terminal building.

Field 77, Grouville: transfer of administration of land

THE STATES, adopting a proposition of the Housing Committee approved the transfer of administration from the Housing Committee to the Public Services Committee of an area of land measuring about 2,200 square feet at Field 77, Grouville, for road widening purposes.

Compulsory Purchase of Land  
(Procedure) (Amendment No. 4) (Jersey) Law  
1991. P.5/91

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Compulsory Purchase of Land (Procedure) (Amendment No. 4) (Jersey) Law 1991.

Island Planning (Amendment No. 4)  
(Jersey) Law 1991. P.6/91

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Island Planning (Amendment No. 4) (Jersey) Law 1991.

Housing (Amendment No. 6) (Jersey)  
Law 1991. P.7/91

THE STATES, subject to the sanction  
of Her Most Excellent Majesty in Council,  
adopted a Law entitled the Housing  
(Amendment No. 6) (Jersey) Law 1991.

Weights and Measures (Prescribed  
Quantities No. 4) (Jersey) Order 1991.  
P.9/91

THE STATES, in pursuance of Articles  
20 and 38 of the Weights and Measures  
(Jersey) Law 1967, as amended, approved the  
Weights and Measures (Prescribed Quantity  
No. 4) (Jersey) Order 1991.

Home for the Elderly: Financial  
assistance to Parish of St. Helier. P.10/91

THE STATES, adopting a proposition  
of the Finance and Economics Committee -

- (a) approved the granting of a loan to  
the Parish of St. Helier for the  
purpose of assisting with the  
building of a new home for the  
elderly;
- (b) agreed that the loan should be 50  
per cent of the cost of the work  
relating to the home (including  
acquisition costs and professional  
fees) up to maximum of #3,350,000,  
and should bear interest at four  
per cent a year and should be  
repayable in equal annual  
instalments over a period of 15  
years; and
- (c) agreed that the loan should be  
subject to the condition that no  
person should be allowed to take  
up accommodation in the  
development without the prior  
knowledge and consent of the  
Housing Committee.

Industrial Relations and Trade  
Disputes: Amendment (No. 3)

THE STATES, adopting a proposition  
of the Finance and Economics Committee,  
approved the Amendment (No. 3) of the Act

of the States dated 13th May 1947 relating to industrial relations and trade disputes.

European Convention for the Protection of Human Rights and Fundamental Freedoms. P.13/91

THE STATES, adopting a proposition of the Legislation Committee, agreed that the Island should renew its acceptance of Articles 25 and 46 of the European Convention for the Protection of Human Rights and Fundamental Freedoms for a further period of five years.

New North Quay, Port of St. Helier: lease of accommodation. P.14/91

THE STATES, adopting a proposition of the Harbours and Airport Committee -

- (a) approved the lease to Huelin-Renouf Shipping of 1,101 square feet of office accommodation on the New North Quay, Port of St. Helier, designated Letting Nos. N19 and N19A, for a further period of three years with effect from 1st January 1991 at an annual rent of #10,460.00, representing a rate of #9.50 a square foot with annual rent reviews in line with the Jersey Cost of Living Index over the previous twelve month period to the quarter ended September.
- (b) authorised the Greffier of the States to sign the necessary agreement with the Company; and
- (c) authorised the Treasurer of the States to receive the rent as it becomes due.

La Caroline, La Grande Rue, St. Mary: appointment of Special Committee. P.15/91

THE STATES, adopting a proposition of Senator John Stephen Rothwell, agreed to appoint a Special Committee comprising three members, not being Members of the States, to inquire into the course of events which led to the Island Development Committee's approval of an application

from Oaktree Developments Limited to establish a haulage, plant hire and demolition contractors depot at La Caroline, St. Mary.

THE STATES, on the proposition of Senator Rothwell, appointed the following as members of the Special Committee -

Sir Martin Le Quesne, K.C.M.G.,  
Chairman

Mr. E. Lavery

Mrs. Christine Obbard.

THE STATES rose at 11.45 a.m.

C.M. NEWCOMBE

Deputy Greffier of the States.