

Price : £1.50

THE STATES assembled on Tuesday,
21st November 1995 at 9.30 a.m. under
the Presidency of the Bailiff,
Philip Martin Bailhache, Esquire

His Excellency the Lieutenant Governor,
General Sir Michael Wilkes, K.C.B., C.B.E,
was present.

All Members were present with the exception of -

Senator Vernon Amy Tomes - out of the Island
Leonard René Hamel, Connétable of St.
Clement - excused.
Kenneth Priaulx Vibert, Connétable of St.
Ouen - ill
Carlyle John Le Herissier Hinault,
Connétable of St. John - ill
Robin Ernest Richard Rumboll, Deputy of St.
Helier - out of the Island
Derek Ryder Maltwood, Deputy of St. Mary -
out of the Island
Gary Matthews, Deputy of St. Brelade - out
of the Island
Imogen Stephanie Nicholls, Deputy of
Grouville - ill.

Prayers

Committee of Inquiry into recent suicides at La
Moye Prison - report

The Bailiff presented to the States the Report
of the Committee of Inquiry into the

circumstances surrounding two recent suicides at La Moye Prison.

Subordinate legislation tabled

The following enactments were laid before the States, namely -

1. Motor Cars (Driving Instruction) (Amendment No. 6) (Jersey) Order 1995. R & O 8879.
2. Motor Vehicle Registration (General Provisions) (Amendment No. 3) (Jersey) Order 1995. R & O 8880.
3. Motor Vehicles (Construction and Use) (Amendment No. 34) (Jersey) Order 1995. R & O 8881.
4. Motor Vehicles (Driving Licences) (Amendment No. 4) (Jersey) Order 1995. R & O 8882.
5. Social Security (Collection of Contributions) (Amendment No. 3) (Jersey) Order 1995. R & O 8883.

Matters presented

The following matters were presented to the States -

1. International Conventions and Agreements: progress report for the period ended 30th September 1995. R.C.26/95.
Presented by the Policy and Resources Committee.
2. Manpower report for the period 1st January to 30th June 1995. R.C.27/95.
Presented by the Establishment Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 13th November 1995, 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 sale to the Parish of St. Brelade of a section of Le Chemin Particulier de L'Ecole, St. Brelade, for the sum of £10.00, with each party being responsible for its own legal fees;
- (b) as recommended by the Housing Committee, the entering into of a Deed of Arrangement with Mr. Geoffrey Alan Lucas and Mrs. Margaret Lanclette Lucas, née Smith, the owners of Ivy Cottage, Millais Court, St. Helier, in order to clarify the boundary between Ivy Cottage and Clarence Court, with each party to be responsible for its own legal fees.

Matter noted - acceptance of tender

THE STATES noted an Act of the Finance and Economics Committee dated 13th November 1995, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the Housing Committee had accepted the lowest of seven tenders, namely that submitted by J.P. Mauger Limited, in the sum of £714,946.76 in a contract period of 26 weeks, for the construction of a public car park at the OTC site Phase II, Route es Nouveaux, St. Helier.

Matters lodged

The following matters were lodged ``au Greffe" -

1. 2 to 10 Halkett Place and 21 and 23 Hill Street, St. Helier: redevelopment. P.161/95. Presented by the Planning and Environment Committee.
2. Draft Boats and Surf-Riding (Control) (Amendment No. 12) (Jersey) Regulations 199 - P.162/95. Presented by the Harbours and Airport Committee.
3. Draft Harbours (Amendment

- No. 24) (Jersey) Regulations 199 -
P.163/95.
Presented by the Harbours and
Airport Committee.
4. Draft Amendment (No. 18) to the
Tariff of Harbour and Light Dues.
P.164/95.
Presented by the Harbours and
Airport Committee.
5. Plat Douet School, St. Saviour -
extension and refurbishment: approval
of drawings. P.165/95.
Presented by the Education
Committee.
6. La Collette yacht basin, St.
Helier - reconstruction of showers and
toilets: approval of drawings.
P.166/95.
Presented by the Harbours and
Airport Committee.
7. Elizabeth Harbour terminal
extensions: approval of drawings.
P.167/95.
Presented by the Harbours and
Airport Committee.
8. States members: part
reimbursement of Class 2 social
security contributions - P.168/95.
Presented by the House
Committee.
9. Draft Family Allowances (Jersey)
Regulations 199 - P.169/95.
Presented by the Employment and
Social Security Committee.
10. Draft Gambling (Amendment No. 4)
(Jersey) Law 199 - P.170/95.
Presented by the Gambling
Control Committee.
11. Centrepoint II, Green Street,
St. Helier: purchase of St. Helier Day
Nursery. P.171/95.
Presented by the Planning and
Environment Committee.

The States noted that the following matter had
been lodged ``au Greffe" on 14th November 1995.

The Budget 1996.

Presented by the Finance and
Economic Committee.

Population: Special Committee. P.155/94 -
withdrawn

THE STATES noted that Senator Stuart Syvret had
withdrawn the proposition regarding the setting
up of a Special Committee to examine the issue
of population and associated matters (lodged
``au Greffe" on 22nd November 1994).

Arrangement of public business for the present
meeting

THE STATES acceded to the request of Deputy
Frederick John Hill of St. Martin that
consideration of his proposition regarding the
Victoria College Board of Governors (P.126/95 -
lodged ``au Greffe" on 12th September 1995) be
deferred from the present meeting to a later
date.

Arrangement of public business for the next
meeting on 5th and 6th December 1995

THE STATES confirmed that the following matter
lodged ``au Greffe" would be considered at the
next meeting on 5th and 6th December 1995 -

The Budget 1996.
Lodged: 14th November 1995
Finance and Economics
Committee.

THE STATES also agreed that the following
matters lodged ``au Greffe" would be considered
at the next meeting if time permitted following
completion of the Budget debate -

Draft Boats and Surf-Riding
(Control) (Amendment No. 12) (Jersey)
Regulations 199 - P.162/95.
Lodged: 21st November 1995.
Harbours and Airport Committee.

Draft Harbours (Amendment No. 24)
(Jersey) Regulations 199 - P.163/95.
Lodged: 21st November 1995.
Harbours and Airport Committee.

Draft Amendment (No. 18) to the
Tariff of Harbour and Light Dues -

P.164/95.
Lodged: 21st November 1995.
Harbours and Airport Committee.

Plat Douet School, St. Saviour -
extension and refurbishment: approval
of drawings - P.165/95.
Lodged: 21st November 1995.
Education Committee.

La Collette yacht basin, St.
Helier - reconstruction of showers and
toilets: approval of drawings -
P.166/95.
Lodged: 21st November 1995.
Harbours and Airport Committee.

Elizabeth Harbour terminal
extensions: approval of drawings -
P.167/95.
Lodged: 21st November 1995.
Harbours and Airport Committee.

Draft Family Allowances (Jersey)
Regulations 199 - P.169/95.
Lodged: 21st November 1995.
Employment and Social Security
Committee.

Jersey Arts Trust: appointment of Chairman

THE STATES, adopting a proposition of the
Education Committee, appointed Sir Peter Crill,
K.B.E., as Chairman of the Jersey Arts Trust,
with effect from 1st December 1995.

Public Employees Contributory Retirement Scheme
Committee of Management: appointment of member

THE STATES, adopting a proposition of the
Establishment Committee, and in accordance with
Regulation 3(5) of the Public Employees
(Contributory Retirement Scheme) (General)
(Jersey) Regulations 1989, approved the
appointment of Senator Vernon Amy Tomes as a
Member of the Committee of Management in place
of Deputy Frank Harrison Walker of St. Helier
for the remainder of the period ending 31st
December 1997.

Ecology Fund: appointment of member

THE STATES, adopting a proposition of the

Planning and Environment Committee -

- (a) referred to their Act dated 25th April 1995, concerning the trustees of the Ecology Fund; and
- (b) approved the appointment of Mr. Roger Long as a trustee of the Ecology Fund in place of the late Mrs. Frances Le Sueur.

Springfield Lane, St. Helier: purchase of roadway - P.123/95

THE STATES commenced consideration of the proposition of the Planning and Environment Committee regarding the purchase of an area of roadway known as Springfield Lane, St. Helier, and accepted the amendments of the Committee that -

in paragraph (a) after the words "on behalf of the public" there should be inserted the words ", from owner(s) whose identity is at present unknown,".

There should be inserted a new paragraph (b) -

"(b) to authorise the Planning and Environment Committee to negotiate with the owner(s), if it is possible to establish their identity, for the purchase of the said land at a fair and proper price to be agreed by the Finance and Economics Committee;".

For paragraph (c) there should be substituted -

"(c) to agree that if it is not possible to agree a fair and proper price with the owner(s), either because it is not possible to establish their identity or for any other reason, the Planning and Environment Committee should be empowered, in exercise of the powers conferred by Article 4 of the Island Planning (Jersey) Law 1964, as amended, to acquire the land by compulsory purchase, in accordance with the provisions of the Compulsory Purchase of Land

(Procedure) (Jersey) Law 1961, as amended;".

The existing paragraph (c) should be re-lettered paragraph (d).

The subsequent paragraphs should be re-lettered.

THE STATES, adopting the proposition of the Planning and Environment Committee, referred to their Act dated 8th June 1993 approving a development plan designating Springfield, St. Helier, for sports, leisure, recreation and community purposes, and to their Act dated 8th November 1994 approving the purchase of approximately 244,000 square feet of land at Springfield, St. Helier, as shown on drawing No. 383/1, from the Royal Jersey Agricultural and Horticultural Society, and -

- (a) approved the purchase on behalf of the public, from owners(s) whose identity was at present unknown, of an area of roadway known as Springfield Lane (formerly Janvrin Lane), St Helier, measuring approximately 338 square metres, as shown on drawing No. 479/1, and authorised the Greffier of the States to sign the said drawing on behalf of the States;
- (b) authorised the Planning and Environment Committee to negotiate with the owner(s), if it was possible to establish their identity, for the purchase of the said land at a fair and proper price to be agreed by the Finance and Economics Committee;
- (c) agreed that if it were not possible to agree a fair and proper price with the owner(s), either because it was not possible to establish their identity or for any other reason, the Planning and Environment Committee should be empowered, in exercise of the powers conferred by Article 4 of the Island Planning (Jersey) Law 1964, as amended, to acquire the land by compulsory purchase, in accordance with the provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961, as amended;
- (d) authorised the Attorney General and the

Greffier of the States to pass on behalf of the public any contracts which it might be found necessary to pass in connexion with the purchase of the said land and all interests therein;

(e) authorised the payment or discharge of the expenses incurred in connexion with the purchase of the said land, and all interests therein, from the Planning and Environment Committee's capital vote of credit - 'Acquisition of Land - Major Reserve' (Vote No. C.0904);

(f) authorised the transfer of the administration of the land, once acquired, to the Sport, Leisure and Recreation Committee.

Public Health (Control of Building) (Amendment No. 3) (Jersey) Law 199 - P.141/95

THE STATES commenced consideration of the draft Public Health (Control of Building) (Amendment No. 3) (Jersey) Law 199 and adopted the Preamble, having received an undertaking from the Vice-President of the Planning and Environment Committee that the Committee would seek in principle approval of the States for any planning charges that it proposed to introduce.

Article 1 was adopted.

Articles 2 and 3 were adopted.

Members present voted as follows on Articles 2 and 3 -

``Pour" (28)

Senators

Jeune, Horsfall, Rothwell, Qu  r  e, Chinn, Bailhache.

Conn  tables

St. Lawrence, St. Mary, St. Brelade, St. Saviour, St. Martin.

Deputies

St. Peter, H. Baudains(C), Le Sueur(H), St. Ouen, Coutanche(L), Huelin(B), S. Baudains(H), Le Fondr  (L), Le Geyt(S),

Walker(H), Crespel(H), Pullin(S),
Carter(H), Johns(H), Routier(H), Dorey(H),
Layzell(B).

``Contre" (6)

Senator

Syvret.

Connétables

Grouville, St. Helier, Trinity.

Deputies

Trinity, St. John.

Articles 3, 4, 5, 6, and 7 were adopted.

THE STATES, subject to the sanction of Her Most
Excellent Majesty in Council, adopted a Law
entitled the Public Health (Control of Building)
(Amendment No. 3) (Jersey) Law 199 .

Island Planning (Amendment No. 6) (Jersey) Law
199 - P.141/95

THE STATES commenced consideration of the draft
Island Planning (Amendment No. 6) (Jersey) Law
199 and adopted the Preamble.

Members present voted as follows -

``Pour" (31)

Senators

Jeune, Horsfall, Rothwell, Stein, Quérée,
Chinn, Syvret.

Connétables

St. Lawrence, St. Mary, St. Brelade, St.
Saviour, St. Martin.

Deputies

Wavell(S), St. Peter, H. Baudains(C), St.
Ouen, Coutanche(L), Huelin(B),
S. Baudains(H), Le Fondré(L), Le Geyt(S),
Walker(H), Crespel(H), Pullin(S),
Carter(H), Johns(H), Routier(H), Dorey(H),
Layzell(B), Huet(H), St. Martin.

``Contre" (6)

Senators

Le Main.

Connétables

Grouville, St. Helier, Trinity.

Deputies

Trinity, St. John.

Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 were adopted.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Island Planning (Amendment No. 6) (Jersey) Law 199 .

Protection of Jersey's architectural heritage and incentive scheme of grants - P.27/95

THE STATES, adopting a proposition of the Planning and Environment Committee -

(a) expressed their support for the Planning and Environment Committee's programme for the protection of sites of special interest by designation by Order of the Committee under Article 9 of the Island Planning (Jersey) Law 1964, as amended, as outlined in the Committee's report dated 16th January 1995;

(b) approved, subject to the necessary finance being made available, the payment of grants by the Planning and Environment Committee to owners of sites so designated as an incentive to secure the conservation of such buildings.

Insurance Business (Jersey) Law 199 - P.147/95

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Insurance Business (Jersey) Law 199 .

Royal Court (Amendment No. 8) (Jersey) Law
199 - P.149/95

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Royal Court (Amendment No. 8) (Jersey) Law 199 .

Loi (199) (Amendement No. 6) réglant la
procédure criminelle - P.150/95

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Loi (199) (Amendement No. 6) réglant la procédure criminelle.

Police Court (Miscellaneous Provisions)
(Amendment No. 5) (Jersey) Law 199 - P.151/95

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Police Court (Miscellaneous Provisions) (Amendment No. 5) (Jersey) Law 199 .

Fish farmers: loan scheme - P.152/95

THE STATES, adopting a proposition of the
Agriculture and Fisheries Committee -

(a) approved the introduction by the
Agriculture and Fisheries Committee of
a scheme to provide loans for persons
engaged in fish farming, as provided in
the report of the Committee dated 23rd
October 1995;

(b) agreed that the scheme should remain in
force for a period of three years, with
effect from 15th December 1995, and,
subject to the States voting the
necessary funds, might be continued in
force by agreement between the
Agriculture and Fisheries and the
Finance and Economics Committees.

Trusts (Amendment No. 3) (Jersey) Law 199 -
P.153/95

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

Law 199 .

Airport redevelopment: financing. P.155/95

THE STATES, adopting a proposition of the Harbours and Airport Committee, agreed, for the purpose of financing the development of the Jersey Airport terminal -

- (a) to approve the granting of a lease ("the Head Lease") by the public to Midland Bank International Finance Corporation Limited ("MBIFC") for a period of 125 years, of an area of land (measuring approximately 80,000 square feet) ("the site") at Jersey Airport, the exact area of land to be agreed between the Committee and MBIFC;
- (b) to accept from MBIFC a sub-lease of the site for a term of 25 years at the annual payments referred to in paragraph 2 of the report of the Harbours and Airport Committee, dated 31st October 1995; and
- (c) authorised a scheme whereby the public would be entitled to purchase the Head Lease from MBIFC, such entitlement to be exercisable 15 years after the completion of the construction of the Departures Terminal;
- (d) authorised the Attorney General and the Greffier of the States to pass, and the Greffier of the States to sign, as appropriate, on behalf of the public, such contracts or agreements as may be necessary;
- (e) authorised the Treasurer of the States to receive the sum of £12 million from MBIFC and to credit it to the trading fund established for the Harbours and Airport Committee under Article 25C of the Public Finances (Administration) (Jersey) Law 1967, as amended.

Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 3) (Jersey) Regulations 1995 - P.157/95

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law 1967,

as amended, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 3) (Jersey) Regulations 1995.

Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 5) (Jersey) Regulations 1995 - P.157/95

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law 1967, as amended, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 5) (Jersey) Regulations 1995.

Public Employees (Contributory Retirement Scheme) (Amendment No. 14) (Jersey) Regulations 1995 - P.157/95

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law 1967, as amended, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (Amendment No. 14) (Jersey) Regulations 1995.

Public Employees (Contributory Retirement Scheme) (Former Hospital Scheme) (Amendment No. 2) (Jersey) Regulations 1995 - P.157/95

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law 1967, as amended, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (Former Hospital Scheme) (Amendment No. 2) (Jersey) Regulations 1995.

Fields 93 and 94, St. Brelade: proposed cemetery for the Parish of St. Brelade - P.158/95

THE STATES, adopting a proposition of the Planning and Environment Committee -

(a) approved the designation of part of Fields 93 and 94, St. Brelade, as shown on drawing No. 485/1B, for use as a cemetery, such designation being an amendment of the Island Plan, as amended 1/87, approved by the States on 3rd November 1987;

(b) approved the sale by the public to the

Parish of St. Brelade of part of Field 93, being an area of 2.34 vergées, and Field 94, being an area of 3.42 vergées, in the Parish of St. Brelade, as shown on drawing No. 485/1B, at a price to be agreed between the Planning and Environment Committee and the Finance and Economics Committee, with the purchaser being responsible for the payment of all legal costs;

- (c) authorised the Greffier of the States to sign the said drawing on behalf of the States;
- (d) authorised the Attorney General and the Greffier of the States to pass on behalf of the public any contracts which it might be found necessary to pass in connection with the said sale;
- (e) authorised the Treasurer of the States to receive the proceeds of the sale of the said land.

THE STATES rose at 5.42 p.m.

G.H.C. COPPOCK

Greffier of the States.