

Price : £3.00

THE STATES assembled on Tuesday,
22nd April 1997 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache

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 Pierre François Horsfall - out of
the Island
John Baudains Germain, Connétable of St.
Martin - ill
Alastair John Layzell, Deputy of St.
Brelade - out of the Island
Terence John Le Main, Deputy of St.
Helier - out of the Island
Robin Charles Hacquoil, Deputy of St.
Peter - ill.

Prayers

Subordinate legislation tabled

The following enactment was laid before the
States, namely -

Civil Service Administration
(Salaries) (Amendment No. 16) (Jersey)
Order 1997. R & O 9077.

Committee of Inquiry to investigate the
procedure followed in relation to the
timetabling, preparation and presentation to the
States of the draft Limited Liability

Partnerships (Jersey) Law 199 : resignation of President and members.

THE STATES noted the resignation of the President and members of the Committee of Inquiry to investigate the procedure followed in relation to the timetabling, preparation and presentation to the States of the draft Limited Liability Partnerships (Jersey) Law 199 .

Matters presented

The following matters were presented to the States -

1. Prison Board: report for 1966 - R.C.24/97.
Presented by the Prison Board.
THE STATES ordered that the said report be printed and distributed.
2. Telecommunications Board: annual report and accounts for 1996.
Presented by the Telecommunications Board.
3. States of Jersey Annual Report and Accounts for 1996.
Presented by the Finance and Economics Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee, dated 14th April 1997, recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

- (a) as recommended by the Housing Committee, the granting to the Jersey Electricity Company Limited of wayleave and rights in perpetuity free of charge over public land at St. Martin's Arsenal, in order to gain access to Electricity Sub-Station 140, St. Martin's Arsenal, St. Martin, with each party being responsible for its own legal costs in relation to the transaction;
- (b) as recommended by the Education

Committee, the granting to the Jersey Electricity Company Limited of a wayleave in respect of the electricity cable from the Highlands Campus boundary with Highlands Lane, St. Saviour, in perpetuity and free of charge, the company to be granted right of access with or without workmen or material in order to repair, replace, maintain and upkeep the said electricity cable with the works being carried out as quickly as possible so as to cause the least inconvenience to the public, and any areas affected will be reinstated to the same state as they were before the work was carried out, access being conditional upon two weeks' notice being given except in cases of emergency, on the basis that each party would be responsible for its own legal costs in relation to the transaction;

(c) as recommended by the Agriculture and Fisheries Committee, the lease from the National Trust for Jersey of Fields Nos. 810, 811, 812 and 813, The Elms, St. Mary (together measuring 34.23.20 vergées), for a period of five years from 25th December 1995 at a commencing annual rent of £6,000 payable annually in advance, subject to review at the end of the third year of the term to open market rental value and, in the event that the parties are unable to agree the new rent, an arbitrator is to be appointed and the costs of the arbitration are to be shared equally between the parties. The Agriculture and Fisheries Committee is permitted to sub-let the land subject to the condition that any new sub-tenant should be approved by the Trust beforehand, such consent not to be unreasonably withheld. The Agriculture and Fisheries Committee will also be responsible for payment of the occupier's rate and the reasonable legal fees incurred by the Trust;

(d) as recommended by the Housing Committee, the passing of a Deed of Arrangement with Mr. Dean Michael Bohan and Mrs. Toni Anne Bohan, née Leonard, owners of No. 27 Columbus Street, St. Helier, in order to agree that both the

extension and any parts of the roof of No. 27 Colombus Street which overhung the public's property at No. 29 Colombus Street might remain established, and that the usual rights of access were to be granted to Mr. and Mrs. Bohan, on the basis that Mr. and Mrs. Bohan were responsible for all legal costs incurred by the public in the transaction.

Matter noted - acceptance of tender

THE STATES noted an Act of the Finance and Economics Committee, dated 14th April 1997, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the Public Services Committee had accepted the lowest revised tender in respect of the Mechanical/Electrical contract for the Weighbridge to Town Centre Surface Water Link and Storage Tank Project, namely that received from Staveley Industries Plc WHS Division in the sum of £1,060,786.45.

Matters lodged

The following matters were lodged ``au Greffe" -

1. Draft Magistrate's Court (Miscellaneous Provisions) (Amendment No. 6) (Jersey) Law 199 - P.62/97. Presented by the Legislation Committee.
2. Draft Costs in Criminal Cases (Amendment) (Jersey) Law 199 - P.63/97. Presented by the Legislation Committee.
3. Haut de la Garenne, St. Martin: conversion and redevelopment - P.64/97. Presented by the Planning and Environment Committee.
4. States of Jersey Airport: operation of jet aircraft (P.24/97) - amendment - P.65/97. Presented by the Tourism Committee.

5. Town drainage scheme: Committee of Inquiry - P.66/97.
Presented by Senator S. Syvret.
6. Draft Natwest Offshore Limited (Jersey) Law 199 - P.67/97.
Presented by Senator C. Stein.

Arrangement of public business for the next meeting on 13th May 1997

THE STATES confirmed that the following matters lodged ``au Greffe" would be considered at the next meeting on 13th May 1997 -

Racial discrimination in Jersey: report and recommendations - P.213/96.
Lodged: 19th November 1996.
Policy and Resources Committee.

Draft Magistrate's Court (Miscellaneous Provisions) (Amendment No. 6) (Jersey) Law 199 - P.62/97.
Lodged: 22nd April 1997.
Legislation Committee.

Draft Costs in Criminal Cases (Amendment) (Jersey) Law 199 - P.63/97.
Lodged: 22nd April 1997.
Legislation Committee.

Rent arrears - question and answer (Tape No. 388)

Deputy Philip John Rondel of St. John asked Senator Corrie Stein, President of the Housing Committee, the following question -

``I have been advised in correspondence from the Housing Department that the overall sum of £475,000 is owed by tenants of the Housing Department in rent arrears. What steps are being taken to recover these outstanding amounts?"

The President of the Housing Committee replied as follows -

``The Housing Committee has just over 4,500

tenants who will contribute £12m in rent during 1997. Over 87 per cent of tenants are either up-to-date or in advance with their rent payments but, inevitably, for a variety of reasons, there are some tenants who fall into arrears.

The last three years has seen an improvement in terms of the total rent arrears and the arrears as a percentage of total rental income.

In April 1995 there were 606 tenants in arrears, owing a total of £476,134, representing 4.4 per cent of the annual rental income of £10.75m.

In April 1996 there were 627 tenants in arrears, owing a total of £470,476, representing 4.2 per cent of the annual rental income of £11.2m.

At present, in April 1997, there are 572 tenants in arrears, owing a total of £469,122, representing 3.9 per cent of the annual rental income of £12m.

The Committee does not write off rent arrears and therefore the total sum is carried forward each year. This factor underlines the improvement that has been made in the last three years.

The majority of tenants who fall severely behind with rental payments are on low incomes and have chronic social or financial problems. Of the 20 tenants with the highest arrears, 18 have children of school age and the other two are old age pensioners.

The Housing Department does not allow rental arrears to accrue without attempting to establish the cause and giving tenants an opportunity to overcome difficulties, e.g. breakdown of relationship with the wage earner.

The following is a summary of the steps taken by the Department to reduce and recover rent arrears -

1. A tenant failing to pay their rent by the end of their regular payment period is sent a letter enquiring whether there has been an oversight.

2. If this does not result in prompt settlement, a second letter is sent and an appointment made with the arrears officer.
3. If there is no response or no improvement in payment, a home visit is made.
4. Persistent offenders and those where large arrears have occurred over a long period of time, are seen on a regular basis by Housing officers, with the majority signing up to regular arrears repayment plans.
5. Where appropriate, arrangements are made with employers and the Parish for rent payments to be made from wages or benefits direct to the Housing Department.
6. A debt collector is employed specifically to call weekly on 45 tenants who persistently fall behind with their rental payments.
7. Despite these measures, during the last 12 months it has been necessary for 87 tenants to be taken to the Petty Debts Court for recovery of rent arrears.
8. The Housing Committee does not wish to cause homelessness or break up families but nevertheless, in the last 12 months, 13 tenants have been served with eviction notices, of which five have been pursued to repossession of the property. Where families with young children or pensioners are involved, repossession of their dwelling for rent arrears is very much a last resort.

In summary the Committee will continue to take all reasonable steps to recover arrears and to reduce the incidence of non-payment of rent."

Emissions from the nuclear reprocessing plant at La Hague - questions and answers (Tape No. 388)

Deputy Alan Simon Crowcroft of St. Helier asked Senator Frank Harrison Walker, Vice-President of the Policy and Resources Committee, the

following questions -

``Following recent reports of radioactive discharges into the sea from the nuclear reprocessing plant at La Hague, would the President advise members -

- (a) whether any investigations are underway or planned as to whether there has been any contamination of the local marine environment and, if so, to what extent and with what outcome?
- (b) what epidemiological studies are underway or planned into the possible risks posed by the French nuclear reprocessing industry to the health of local people, and of children, in particular?
- (c) what discussions about nuclear pollution are underway or planned between the States of Jersey and the British and French governments in advance of the meeting in September this year of the Commission established under the 1992 Convention for the Protection of the Marine Environment of the North East Atlantic ('OSPAR')?
- (d) when will the 'full report' on nuclear issues, which the minutes of the Policy and Resources Committee of 26th November 1996 state will be published 'early in the New Year', be presented to the States?"

The Vice-President of the Policy and Resources Committee replied as follows -

- ``(a) The marine environment continues to be monitored on an annual basis by the Centre for Environment, Fisheries and Aquaculture Science, ('CEFAS'), (formerly the Ministry of Agriculture, Fisheries and Food Fisheries Laboratory) on a basis agreed with local environmental officers. The nature of the programme is reviewed annually to ensure its relevance to current events and local circumstances. The results are published every year and are in the public domain. Members can be assured that the results indicate no health risk to

the public at large.

As an example, samples of molluscs indicate a typical value of 0.03 Becquerels (the measure of radioactivity) a kilogram of wet tissue. This is an extremely small fraction (nearly four thousand times smaller) of the National Radiological Protection Board's Recommended Generalised Derived Limit for molluscs of 200 Becquerels. And it is appropriate to say that those limits are actually already set with a large safety margin.

The radioactivity levels in seafood, considered the most important source of exposure to humans, when translated into potential radiation doses to the public indicates also the measure of safety. Thus the risk to human health has been estimated to be less than one per cent of the internally recommended permissible dose which, like the limits for natural organisms, is already set with a large safety margin. This represents an extremely high margin of safety to the people of Jersey.

It should be pointed out that the potential dose, not even the actual dose, to Jersey's public is approximately half the level of natural radiation exposure that most members of the public will receive from natural causes including a significant proportion from radon derived from granite.

Furthermore, the Committee is mindful of the public's anxieties concerning radioactivity. The human exposure levels I have just quoted have been theoretically derived with a significant margin of safety built in. As part of the outcome of its deliberations with the Home Office, it has been agreed that actual potential pathways to human exposure will be evaluated by CEFAS and, in fact, that work is due to begin this very week. Whilst not wishing to pre-judge the results, professional wisdom is of the opinion that the results will indicate

even higher levels of safety than the theoretical calculations show.

In view of the publicity given to the issue of the exposure of the Cap de la Hague outfall pipe at the recent extremely low tides, I would like to add briefly to my answer to Deputy Crowcroft's specific question.

It is not unexpected that such elevated levels as recorded would be measured at the actual outfall. However this does not alter the fact that the actual discharges remain well within approved permissible limits and, given normal dilution, pose no threat to human health in Jersey. Public access to the outfall would not normally be possible and the French authorities have taken steps to rectify the situation.

It should also be pointed out that very little of the discharge material actually circulates in local waters. There are very complex tidal patterns around the Channel Islands and the discharge is a mixture of many radionuclides. The Environmental Adviser very recently attended a conference on Radioactivity in the Oceans at which several research papers were presented on the situation in local waters. Although there are slight variations dependent on the radionuclide, independent scientific research indicates that well over 80 per cent of radioactivity discharged from Cap de la Hague passes into the English Channel, mostly in a northward direction. Less than one per cent circulates around Jersey.

It may also be worth remarking that, at the conference and talking to the many independent scientists studying the area, the Environmental Adviser was left in no doubt that the marine environment, and by inference the general public on this Island, is at no risk from the discharges from Cap de la Hague.

Finally, before moving to the next question it may be worth mentioning,

although it does not concern the marine environment, that air is also monitored by the Official Analyst and milk is sent on a regular basis to be checked for radioactivity. None of these checks has shown levels of radiation above background.

- (b) With regard to epidemiological studies, deaths are registered in Jersey under the Etat Civil Law. Annual deaths are collated and published in the Annual Report of the Medical Officer of Health and are therefore available for public scrutiny.

Cancer registration has been undertaken by the Health and Social Services Committee and that information is also published on an annual basis. The whole issue of cancer registration was examined some two years ago and was moved from the Thames Cancer Registry to the Wessex Cancer Information Service. The information service is in contact to monitor the incidence of cancer in Jersey and compare it with similar populations in the United Kingdom.

Cancer registration in Jersey has improved markedly in quality over the last 18 months and that improvement is against a background of cancer registration that would compare quite favourably with similar administrations elsewhere.

Of particular relevance to the question asked is the proposal on the agenda for a meeting between the Health Authorities in the Isle of Man, Guernsey and Jersey at the end of this month, firstly, to consider the standardising of cancer registration within the three administrations so that results may be readily compared, and, secondly, to consider the setting up of research projects to examine possible health implications for the three authorities due particularly to their proximities to nuclear power plant and reprocessing plant.

It is always wise to produce caveats about statistics produced from small

populations such as Jersey's and not jump to conclusions based on inadequate data. Jersey's efforts in this field would stand up to independent and impartial scrutiny.

The Medical Officer of Health is well aware of concerns related to the reprocessing plant at Cap de la Hague. All the evidence indicates that there is no public health problem, neither for adults or children, from radiation or radioactivity arising from the plant.

(c) The OSPAR Commission is responsible for overseeing the Convention for the Protection of the Marine Environment of the North-East Atlantic. A 'strategy for radioactive substances' is one item of the Commission's agenda for September and a text for discussion is being prepared. However, discussions are at a very preliminary stage and the Environmental Adviser is keeping the subject under review. The Committee has continued to forcefully express its concern and has been kept aware of developments, and of British and French intentions, at its meeting at the Home Office. A further meeting at the Home Office is scheduled for 13th June 1997.

(d) The Policy and Resources Committee discussed the draft report at its meeting last week and agreed that, with a few minor modifications, it would go forward to the States as soon as possible. The delay in presenting the report is regretted but it was important to clarify all the factual information and this has depended very much on the speed of replies from the United Kingdom Atomic Energy Authority (UKAEA). That has been affected by several changes of Director at the UKAEA during the follow-up to the original Home Office meeting."

Tax liability - question and answer (Tape No. 388)

Senator Stuart Syvret asked Senator Frank Harrison Walker, President of the Finance and Economics Committee, the following question -

``Will the President inform members of the tax liability for the following sectors for the years 1992, 1993 and 1994 -

- Agriculture
- Fishing
- Quarrying
- Manufacturing
- Electricity, gas and water supply
- Construction
- Wholesale and retail trade
- Hotels and restaurants
- Transport, storage and communication
- Financial intermediation
- Real estate, renting and business activities
- Public administration and defence
- Education
- Health and social work
- Other community, social and personal services
- Private households and employed persons."

The President of the Finance and Economics Committee replied as follows -

``I must apologise to both Senator Syvret and the house, but I regret that it has not been possible to obtain the figures requested. This is because the request is based on the 1995 Standard Industrial Classification and the Income Tax Department has figures allocated to Industry on the basis of the previous Standard Industrial Classification. It will therefore take a little time to provide the figures required on the basis he requires. I will either provide the answers at the next sitting of the States or ensure that the figures are sent to the Senator if they are available before then."

Fire fighting at the airport - question and answer (Tape No. 388)

Senator Stuart Syvret asked Deputy Michael Adam Wavell, President of the Defence Committee, the following question -

``On 8th April 1997 the President of the Harbours and Airport Committee, in response to a question of the Deputy of St. John, concerning the length of fire fighting time

achievable from the water supply available at the airport, reminded members of an earlier joint statement of the Defence and Harbours and Airport Committees which stated that - 'there are 80,000 gallons of water available now with a further 50,000 gallons to be available by the end of April' to fight fires. In the light of that President's reply, would the President give an indication of how long in fire-fighting time this water would last in the worst envisaged scenario?"

The President of the Defence Committee replied as follows -

''A serious fire situation would demand the use of numerous jets of water of varying sizes possibly positioned on several floors of the old building both internally and externally. For example, an incident at Jersey Airport could require the use of eight hand branches and one aerial ladder platform monitor using approximately 2,000 gallons of water a minute. In the worst scenario the existing water supplies would last for 40 minutes, assuming the jets in question were at maximum output all of the time and this time will increase to 65 minutes when the additional 50,000 gallons are made available. In reality this scenario would be very rare and, therefore, in most instances the water supplies would last longer.

It must be borne in mind that all the hand branches are controllable, i.e. the rate of flow of water through the branch can be decreased or shut off, and that it is quite usual in fire fighting operations to shut down a branch when advancing further into a building with a line of hose.

In addition, contingency arrangements have been made with the Jersey New Waterworks Company to boost the water supply to the Airport by the diversion of mains water which will be made available within 15-30 minutes of the outbreak. This will provide a slight improvement to the pressure and flow available and would be capable of supplying 350 gallons of water a minute.

In the event of a fire in the terminal buildings all flying would cease. This

would allow the Airport Fire Service to assist the States Fire Service personnel in tackling the incident.

The States Fire Service would also be ferrying water with its two water carriers to the Airport."

Centre Ville Group - question and answer (Tape No. 388)

Senator Stuart Syvret asked Senator Nigel Lewis Qu  r  e, President of the Planning and Environment Committee, the following question -

``Would the President provide for the States a full explanation of the procedure and selection process by which a Co-ordinator was appointed for the Centre Ville Group, given that this post is funded by taxpayers' money, part of which has been granted by his Committee?"

The President of the Planning and Environment Committee replied as follows -

``The Senator has asked for a `full explanation of the procedure and selection process' of the appointment of a Co-ordinator. I have set out in the attached appendix details of the Centre Ville Group which is a fully independent group. It is accountable to all of its principal participants of which the Planning and Environment Committee is only one, the others being the Public Services Committee, the Parish of St. Helier and the Chamber of Commerce. I set out here the fullest possible answer based on the minutes and information which my Committee's officers have received.

The Centre Ville Group advertised the Co-ordinator's post in the Jersey Evening Post on 30th December 1996. Interested persons were provided with a copy of the terms and conditions and the job description which had been previously approved by the Group. A statement of key competencies which would be required of the postholder was also produced.

On 3rd January 1997 I attended the Centre Ville Group. It was agreed that a working

group be appointed to carry out the preliminary interviews comprising the chairman, Mr. R. Henkuzens, Mr. N. Brooks (Chamber of Commerce), together with Mr. S. Fell my Committee's Conservation Architect/Urban Designer. The Planning and Environment Committee had agreed that Mr. Fell, should advise the Group on professional matters.

On 7th February 1997 Deputy Crowcroft attended the meetings on my behalf. It was decided that a Sub-Committee be set up and initial interviews be held on 14th February. The minute records that there had been 24 expressions of interest. The stated objective was to reduce the number of candidates to two from three after initial interviews. I understand that Mr. Brooks, who was advised by a Chamber of Commerce Council member specialising in human resources, had identified six candidates that he felt worthy of selection for preliminary interview. This matter was considered on 6th February at a meeting of selected members of the Centre Ville Group who had expressed willingness to participate in the selection process. Mr. Fell was not present at that meeting and no minutes have been received by the Department.

On 14th February preliminary interviews were held. No minutes of this meeting have been received by the Planning Department. Mr. Fell was not available on the day chosen for interviews and did not attend.

On 7th March 1997 the Centre Ville Group met and confirmed the four candidates to be invited for interview on 21st March. The meeting agreed that each candidate should give a short presentation at the interview.

The minutes confirm the members of the working party dealing with the selection process (Messrs. Brooks, Fell, Mourant, Johns and Pearce).

The minutes of the interview meeting on 21st March record that nine persons were present at the first interviews and that six persons were absent, two of which were on the selection process working party. Two of the candidates withdrew before the day and only two candidates were interviewed.

At the conclusion of the meeting a vote was taken and on a majority vote the Chairman (Mr. Henkuzens) was instructed and authorised to speak to the two absent members of the working party and, subject to their comments, offer the post to the successful candidate.

No minute has been received but it is understood that the Chairman made a verbal offer to the selected candidate the following day, which was accepted.

On 23rd March my Chief Officer received a complaint from Deputy Crowcroft as a result of which he spoke to the Group's Chairman and it was agreed that the appointment be held over until a further meeting of the Group had taken place.

The Centre Ville Group reconsidered this matter at its meeting on 4th April 1997. The minutes record that the Group unanimously approved a resolution ratifying the previous actions of the Group with two abstentions.

APPENDIX

The Centre Ville Group is an independent group formed on the recommendation of the then Deputy Walker in February 1996 to co-ordinate the actions of the private and public sectors in the town centre of St. Helier. From the outset it was agreed by the main parties, the Parish of St. Helier, Chamber of Commerce, Public Services Committee and Planning and Environment Committee that a dedicated position of full-time co-ordinator would be required.

The job description and objectives were drafted by the Planning and Environment Committee's Conservation/Urban Architect which were discussed from March to July 1996, prior to agreement. Agreement was reached on funding the post with Public Services in July 1996 and confirmed in September 1996 and the Planning and Environment Committee in May and October 1996, it being agreed that the Chamber of Commerce would provide support and facilities rather than a cash contribution.

In October 1996 the Planning and Environment Committee agreed to provide a

contribution of £20,000 a year for three years subject to safeguards to ensure that, should the group not succeed in its role, the arrangement would be terminated. The Planning and Environment Committee also recommended that the appointment be made on a one-year renewable contract, subject to satisfactory performance, as well as an initial six month probation period."

Scheduled air service between Jersey and Heathrow - questions and answers (Tape No. 388)

Senator John Stephen Rothwell asked Deputy Philip John Rondel of St. John, Vice-President of the Jersey Transport Authority, the following question -

``What further steps are being taken by the Jersey Transport Authority to secure the continuation of scheduled air services between Jersey and London Heathrow?"

The Vice-President of the Jersey Transport Authority replied as follows -

``As members will be aware representatives of the Jersey Transport Authority met with the Chief Executive of British Airways, Mr. Robert Ayling, at Heathrow on 1st April 1997. At that meeting Mr. Ayling indicated that the present scheduled air services between Jersey and Heathrow might some time in the future be transferred to London Gatwick. By way of response the Authority's representatives emphasised the importance to the Island of maintaining a London Heathrow service, and stated that the insular authorities would continue to fight for the retention of that service.

Since the meeting on 1st April the Jersey Transport Authority has encouraged and is continuing to encourage the business community and Island residents who wish to see the Heathrow service retained to write to the Chief Executive of British Airways to make their views known to him. I would like to take this opportunity of saying that it would be most helpful to the Authority if any letters written are copied to the Chief Adviser of the States, Mr. Colin Powell, who also acts as the Executive Officer to the Authority.

The Jersey Transport Authority will also be requesting a meeting with the United Kingdom Minister for Aviation, after the General Election. The Authority will be pressing the Minister to take the necessary steps to protect the Heathrow slots presently used for the Jersey service. The Authority will make the case that has been made to previous Ministers regarding the importance of air travel to the Island, and the importance of the Heathrow route in particular.

The Chief Executive of British Airways has assured the Jersey Transport Authority that no decision will be taken to remove the Jersey service from Heathrow without prior and full consultation with the insular authorities. He has informed the Authority that those services to be moved to Gatwick will be identified through the application of certain criteria, including how the market can best be served, what proportion of passengers are interlining, and the relative profitability of the service. The Jersey Transport Authority will address these and other issues in preparing its case in support of the retention of the Heathrow service in the context of the consultation process that British Airways have promised.

Members can rest assured that the Jersey Transport Authority will continue to take every possible step to press the case for the continuation of scheduled air services between Jersey and London Heathrow and to secure an outcome that best serves the interests of the Island."

Office of the Chief Adviser - questions and answers (Tape No. 388)

Senator Stuart Syvret asked Senator Frank Harrison Walker, Vice-President of the Policy and Resources Committee, the following questions -

1. At present the Office of the Chief Adviser is a general resource for the States as a whole and individual States' members. I understand that the Policy and Resources Committee is at present considering restructuring the

Office of the Chief Adviser including a Corporate Strategy Unit. Given the importance of ensuring the continued empowerment and effective independence of individual States members, will the President inform the members if the Policy and Resources Committee are conscious of the need of individual States' members to have access to impartial advice from the Office, whatever final form that may take?

2. Will the President explain what approach may be adopted in enabling the proposed Corporate Strategy Unit to impose or enforce strategies or policies that cut across departmental boundaries?
3. Given the review of functions and departmental re-structuring currently underway at the Office of the Chief Adviser, will the President inform members if the need for regular, well informed, environmental input at a strategic level will be a priority in any final decision concerning the future of the department?
4. The Policy and Resources Committee is currently considering the future functions of the Chief Adviser, and the structure of the Office of the Chief Adviser. Will the President inform members if the Policy and Resources Committee will, in its deliberations, be mindful of the traditional non-party political and federal structure of the States?"

The Vice-President of the Policy and Resources Committee replied as follows -

1. The present responsibilities of the Office of the Chief Adviser are set down in the report and proposition approved by the States in October 1992 when the decision was taken to change the title of Economic Adviser to that of Chief Adviser, and in the report and proposition approved by the States in 1968 regarding the appointment of the Economic Adviser. In the

provision of information and advice the Chief Adviser and his staff have offered a service to individual States' members, and to the private sector, over the years in a way that I, and the Policy and Resources Committee, believe all those who have taken advantage of this opportunity have greatly appreciated. The Policy and Resources Committee is in agreement that such a service should be continued and in any consideration of the future of the Office of the Chief Adviser the need of individual States' members for information and impartial advice will be taken fully into account whatever final form that department may take.

2. As I have indicated in the answer to the previous question, and as was made very clear in the debate on the 1996 Strategic Policy Review and Action Plan, the Corporate Strategy Unit within the Office of the Chief Adviser will be carrying out part of the existing responsibilities of that department. It will do so as at present in support of the agreed role of the Policy and Resources Committee to produce a framework of strategic policies and objectives to which Committees are required to have regard in the formulation of their own policies, and to ensure the overall co-ordination of those policies and objectives and to recommend to the States relative priorities in the use of money and manpower resources. As the Policy and Resources Committee stated in its comments to the States last October the objective is to improve on what is being done at present. The Unit will be promoting, co-ordinating, monitoring and advising. It will not be imposing or enforcing strategies or policies. The Unit will be accountable to the Policy and Resources Committee and the Committee will agree its work programme within the framework of the States strategic policies, and will be advised by the Unit on implementation and resource allocation processes. This role of the Corporate Strategy

Unit within the Office of the Chief Adviser was accepted by the States at their meeting on 8th October 1996.

3. The Policy and Resources Committee is very conscious of the need for regular, well informed, environmental input at a strategic level and this will be taken fully into account in deciding the future of the Office of the Chief Adviser. The Committee, in carrying out its strategic policy responsibilities, is in need of environmental advice and at the present time this advice is provided by the Environmental Adviser. The Committee is aware however that the present intention is that, following his completion of a sustainable development strategy, the Environmental Adviser should become the Director of Environment working to the Planning and Environment Committee.
4. The Policy and Resources Committee is in receipt of the final report and recommendations of the consultants engaged to review the Office of the Chief Adviser but is of the opinion that this calls for detailed consideration by the Committee of a number of key issues raised by the report before it is distributed to States' members and chief officers as part of what will be a consultative process. The Committee will indeed be mindful of the present structure and culture of the States when considering what recommendations to bring to the States. It will also have regard for the need to carry out its own responsibilities as effectively as possible, to ensure the most effective use of States' resources and, as indicated in the answer to question 1, to ensure the continued availability of the advice and support presently available from the Office of the Chief Adviser to States' Committees, States' members and the private sector."

International Convention for the Carriage of Goods by Road - statement

Senator Frank Harrison Walker, Vice-President of the Policy and Resources Committee, made a

statement in the following terms -

“The States in 1964 decided that the insular authorities should be a party to the International Convention for the Carriage of Goods by Road. Since that time there has been no pressure from any Jersey company expressing concern that it might be adversely affected as a result of Jersey not being a party to the Convention. However, in the past year or two the Island has accepted the extension to it of a number of agreements entered into by the United Kingdom relating to the carriage of goods by road in Europe. This has been done on the basis that although there is no pressure for an agreement to apply there might be occasions in the future when it would be important for a Jersey company that they did, and there has been no administrative cost placed on the Island arising from the acceptance of the agreement. The same argument applies to the International Convention for the Carriage of Goods by Road.

In 1964 the States decided that the Convention should be implemented by means of insular legislation. However, with the passage of time, and also with the pressure on law drafting resources, there would seem to be good reason for Jersey to follow the Isle of Man and Guernsey and provide for the Convention to be extended by means of the extension of the United Kingdom Carriage of Goods by Road Act 1965. There is no change in the principle from that adopted by the States in 1964, namely that the provisions of the Convention should be extended to the Island.”

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

THE STATES, adopting a proposition of the Establishment Committee approved, in accordance with Regulation 3(4) of the Public Employees (Contributory Retirement Scheme) (General) (Jersey) Regulations 1989, for the remainder of the period ending 31st December 1997, the appointment of -

(a) Deputy Evelyn Mabel Pullin as a member of the Committee of Management in place

of Senator Stuart Syvret as an employer representative; and

(b) Mr. William McPhee in place of Mr. M.J. Hingston as a member representative.

Prison (Amendment No. 4) (Jersey) Law 199 - P.235/96

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Prison (Amendment No. 4) (Jersey) Law 199 .

Criminal Justice (Amendment No. 2) (Jersey) Law 199 - P.236/96

THE STATES commenced consideration of the draft Criminal Justice (Amendment No. 2) (Jersey) Law 199 and adopted the Preamble.

Members present voted as follows -

``Pour" (30)

Senators

Rothwell, Stein, Bailhache, Walker.

Connétables

St. Lawrence, St. Brelade, Grouville, St. Saviour, St. Ouen, St. John.

Deputies

Wavell(S), H. Baudains(C), Le Sueur(H), Coutanche(L), S. Baudains(H), Le Geyt(S), Trinity, Pullin(S), Johns(H), Duhamel(S), Routier(H), Breckon(S), Grouville, Huet(H), St. Martin, Blampied(H), Crowcroft(H), de la Haye(B), Le Cornu(C), St. Ouen.

``Contre" (5)

Senators

Syvret, Kinnard.

Deputies

Dorey(H), St. John, Vibert(B).

Article 1 was adopted.

Article 2 was adopted, as amended, the States having accepted an amendment of Deputy Frederick John Hill of St. Martin that in paragraph (2) of the new Article 6 for the words ``7 p.m." there should be substituted the words ``9 p.m.".

Article 3 was adopted.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Criminal Justice (Amendment No. 2) (Jersey) Law 199 .

Criminal Justice (Compensation Orders)
(Amendment) (Jersey) Law 199 - P.237/96

THE STATES commenced consideration of the draft Criminal Justice (Compensation Orders) (Amendment) (Jersey) Law 199 and adopted the Preamble.

Article 1 was adopted, as amended, the States having accepted an amendment of Deputy Frederick John Hill of St. Martin that in the new paragraph (5) to be substituted for paragraph (5) of Article 5 of the Criminal Justice (Compensation Orders) (Jersey) Law 1994 for the words ``7 p.m." there should be substituted the words ``9 p.m.".

Article 2 was adopted.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Criminal Justice (Compensation Orders) (Amendment) (Jersey) Law 199 .

Disability Transport Allowance (Jersey) Law 1997
(Appointed Day) Act 1997 - P.53/97

THE STATES, in pursuance of Article 16 of the Disability Transport Allowance (Jersey) Law 1997, made an Act entitled the Disability Transport Allowance (Jersey) Law 1997 (Appointed Day) Act 1997.

Deputy Paul Francis Routier of St. Helier declared an interest in the matter and withdrew from the Chamber prior to the debate.

Disability Transport Allowance (Jersey)
Regulations 1997 - P.54/97

THE STATES commenced consideration of the draft Disability Transport Allowance (Jersey) Regulations 1997 and adopted the Preamble.

Regulation 1 was adopted, the States having rejected an amendment of the Finance and Economics Committee that in Regulation 1 for the words "£130 per month" there should be substituted the words "", with effect from the first day of May 1997, £50 per month".

Members present voted as follows -

"Pour" (15)

Senators

Norman, Walker.

Connétables

St. Brelade, Grouville, St. Saviour,
St. John, Trinity.

Deputies

Coutanche(L), St. Mary, Pullin(S),
Duhamel(S), Grouville, Vibert(B), de la
Haye(B), Le Cornu(C),

"Contre" (31)

Senators

Shenton, Rothwell, Le Maistre, Stein,
Quérée, Bailhache, Syvret, Tomes, Kinnard.

Connétables

St. Clement, St. Lawrence, St. Mary, St.
Peter, St. Helier, St. Ouen.

Deputies

Wavell(S), H. Baudains(C), Le Sueur(H),
S. Baudains(H), Le Geyt(S), Trinity,
Johns(H), Dorey(H), Breckon(S), Huet(H),
St. Martin, St. John, Blampied(H),
Rabet(H), Crowcroft(H), Dubras(L).

Regulation 2 was adopted.

Regulation 3 was adopted, the States having rejected an amendment of the Finance and Economics Committee that in Regulation 3 for the words "on the first day of May 1997" there should be substituted the words "on the day following promulgation".

THE STATES, in pursuance of Articles 3, 4, and 15 of the Disability Transport Allowance (Jersey) Law 1997, made Regulations entitled the Disability Transport Allowance (Jersey) Regulations 1997.

Deputy Paul Francis Routier of St. Helier declared an interest in the matter and withdrew from the Chamber prior to the debate.

Change in Presidency

During the course of the debate on the draft Disability Transport Allowance (Jersey) Regulations 1997 the Bailiff retired from the Chamber and the Greffier of the States, Geoffrey Henry Charles Coppock, Esquire, took over the Presidency.

Adjournment

THE STATES then adjourned, having agreed that the outstanding items of public business should stand over until Tuesday, 13th May 1997, when they would be taken as the first item of matters lodged under Public Business.

THE STATES rose at 5.26 p.m.

C.M. NEWCOMBE

Deputy Greffier of the States.