

**THE STATES assembled on Tuesday,
18th July 2000 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 -

David Leon Crespel, Deputy of Trinity - out of the Island
Kenneth William Syvret, MBE, Deputy of St. Ouen - out of the Island

Prayers

Her Majesty The Queen Mother - Loyal Address

THE STATES, adopting a proposition of Senator Pierre François Horsfall, agreed that an Address in the following terms should be transmitted to Her Majesty Queen Elizabeth The Queen Mother on the occasion of Her Majesty's one hundredth birthday.

TO HER MAJESTY QUEEN ELIZABETH THE QUEEN MOTHER

The Loyal Address of the Assembly of the States of Jersey

MAY IT PLEASE YOUR MAJESTY

We, the States of Jersey, today assembled, beg leave, on behalf of the People of this Bailiwick and on our own behalf, to express to Your Majesty our heartfelt congratulations and warmest good wishes on the occasion of Your Majesty's forthcoming one hundredth birthday. We remember with great affection and gratitude your visit to Jersey with His Majesty King George VI on 7th June 1945 so soon after the Liberation of our Island from enemy occupation, and your subsequent welcome visits in 1963, 1975 and 1984. Your Majesty's tireless service and devotion to duty have been an inspiration to us all, and we can assure you of the deep affection in which you continue to be held by the States and People of Jersey.

18th July 2000

**Bailiff and
President of the States**

Matters presented

The following matters were presented to the States -

St. Helier Waterfront leisure complex lease: amendments to legal documentation (P.129/2000): comments - P.129/2000 Com

Presented by the Finance and Economics Committee.

Anti-Inflation strategy (P.125/2000): comments - P.125/2000 Com

Presented by the Industries Committee

THE STATES ordered that the said reports be printed and published.

Jersey Post: Annual Report for 1999

Presented by the Committee for Postal Administration.

Matters noted - land transaction

THE STATES noted an Act of the Finance and Economics Committee dated 10th July 2000 recording that, in pursuance of Standing Orders relating to certain transactions in land, the Treasurer of the States, on the recommendation of the Health and Social Services Committee, had approved under delegated powers the renewal of the lease to Mr. Michael Paul Norman of the property Flat 1, Le Boulevard, La Grande Route des Sablons, Grouville, for a period of three years from 25th March 2000, at an annual rent of £8,500, subject to annual increases in line with the Jersey Retail Price Index, on the basis that each party would be responsible for its own legal fees arising from this transaction.

Matters noted - acceptance of tender

THE STATES noted an Act of the Finance and Economics Committee dated 10th July 2000, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Health and Social Services Committee had accepted the lowest tender for the refurbishment of Clinique Pinel, St. Saviour, namely that received from Charles Le Quesne (1956) Limited in the sum of £969,890.00 on a fixed-price basis with a construction period of 40 weeks.

St. Helier Waterfront leisure complex: lease: amendments to legal documentation - P.129/2000.

THE STATES granted leave to Senator Stuart Syvret to withdraw the proposition regarding St. Helier Waterfront leisure complex lease: amendments to legal documentation (P.129/2000 lodged "au Greffe" on 4th July 2000) the Senator having presented a revised proposition at the present meeting.

Arrangement of public business for the present meeting

THE STATES acceded to the request of the President of the Education Committee that the following matter be considered as the sixth item of public business at the present meeting -

Teaching of Jèrriais: grant of funds from the general reserve - P.123/2000.

Lodged: 4th July 2000.

Education Committee.

THE STATES acceded to the request of the President of the Telecommunications Board that the following matter be considered at the present meeting -

Invesco House, The Forum, Grenville Street, St. Helier: assignment of lease - P.126/2000.

Lodged: 4th July 2000.

Telecommunications Board.

Waiting time for non-urgent surgery - question and answer (Tape No. 593)

The Deputy of St. John asked Senator Stuart Syvret, President of the Health and Social Services Committee, the following question -

"In recent correspondence circulated to States Members by the Department of Health and Social Services it is stated that 12 months is currently the waiting time for non-urgent surgery and that the Department was

hoping to reduce the waiting period to nine months. Would the President -

- (a) provide the Assembly with details of the number of people awaiting non-urgent surgery?
- (b) advise whether the Committee considers nine months to be an acceptable waiting time or if it is proposing to reduce further the waiting time?
- (c) confirm that if, as advised, a patient who has private medical insurance is able to have non-urgent surgery within a much shorter period, this is not to the detriment of a patient without such insurance?"

The President of the Health and Social Services Committee replied as follows -

"In the first instance, might I explain that patients are medically assessed and placed upon surgical waiting lists in accordance with their clinical need. The degree of need is categorised as follows -

urgent
soon
routine/non-urgent.

In general 'urgent' patients are seen within one month, those categorised as 'soon' are seen within three or four months, whilst the majority of 'non-urgent' patients are seen within nine months. Each of the Deputy's questions will now be answered in turn.

- (a) 193 patients are currently waiting for non-urgent surgery in excess of nine months. This figure represents 12 per cent of the total number of patients on the list. However, 112 of these patients are waiting for relatively minor dental surgery. It is worth noting that two thirds of all patients are treated within three months of being put on the waiting list.
- (b) In November 1998 the previous Committee established a target waiting time of no more than nine months for non-urgent surgery. We recognise that 12 per cent of patients are currently not being treated within this time. A number of factors have combined to frustrate our endeavours and these have included increased referrals to outpatient clinics, a 13 per cent increase in patients added to the waiting lists since targets were set and persistent pressures being placed upon inpatient surgical beds by over-spill emergency medical admissions who temporarily need to occupy them. Theatre activity during the first six months of this year shows an increase of nine per cent compared with the same period last year. Staff within the hospital have worked hard to achieve these levels of activity.

My Committee does not consider a nine month wait for non-urgent surgery to be acceptable. However, we must first be resourced to achieve that target and maintain it, before seeking to reduce the maximum wait further.

- (c) Patients who are privately medically insured can secure non-urgent surgical treatment more quickly than public patients. One of the principal reasons for the differing waiting times is that only approximately 25 per cent of the population is privately insured, therefore this group is much smaller than the public patient waiting group. The Health and Social Services Department has only very recently been subjected to an in-depth service review and that review concluded the amount of surgical activity undertaken by the unit compared favourably with the United Kingdom national averages. Private patients are not receiving non-urgent treatment at the expense of more urgent public patients.

Deputy Robert Charles Duhamel of St. Saviour asked Senator Leonard Norman, President of the Education Committee, the following questions -

- “1. Would the President inform members of the following -
 - for each of the academic years 1996-1997, 1997-1998, 1998-1999, and 1999-to date in (a) the non-fee-paying secondary schools and (b) the non-fee-paying primary schools -
 - (i) the number of students who have been suspended from full time education?
 - (ii) the total number of ‘suspension days’?
 - (iii) the total number of suspensions?
2. the provision that exists for the education and supervision of students during their period of suspension?
3. for each of the academic years 1996-1997, 1997-1998, 1998-1999, and 1999-to date in (a) the non-fee-paying secondary schools and (b) the non-fee paying primary schools, the number of students with emotional/ social/behavioural problems whose behaviour is considered to compromise the quality of the learning environment for teaching staff and other students?
4. the number of student places under the Alternative Curriculum provision that are -
 - (a) currently filled?
 - (b) available?
5. for each of the four non fee-paying secondary schools, the maximum number of students with emotional/ social/behavioural problems that the Education Committee considers are capable of being accommodated within the normal school environment?
6. whether the Education Committee considers that the existing support structure for students with emotional/social/behavioural problems is adequate and whether there are any plans to improve it in the next academic year, and, if so, to outline briefly the additional measures to be taken?”

The President of the Education Committee replied as follows -

- “1.(i) On the basis of the information available to the Education Department, the number of pupils suspended during the period from 1996 to date is as follows -

| | Primary | Secondary |
|------------------------|---------|-----------|
| 1996-1997 | 3 | 59 |
| 1997-1998 | 2 | 67 |
| 1998-1999 | 4 | 83 |
| 1999-to 14th July 2000 | 6 | 131 |

- (ii) the total number of suspension days during the same period is as follows -

| | Primary | Secondary |
|------------------------|---------|-----------|
| 1996-1997 | 6 | 174 |
| 1997-1998 | 7 | 206 |
| 1998-1999 | 12 | 314 |
| 1999-to 14th July 2000 | 18 | 589 |

(iii) the total number of suspensions during the same period is as follows -

| | Primary | Secondary |
|------------------------|---------|-----------|
| 1996-1997 | 3 | 102 |
| 1997-1998 | 2 | 114 |
| 1998-1999 | 5 | 138 |
| 1999-to 14th July 2000 | 8 | 232 |

2. The guidance published to Headteachers in the Education Service Handbook are is follows -

The school or college has a responsibility to provide work for the pupil to undertake at home. However, responsibility for completing the work and presenting it to school rests with the pupil and the parents. In appropriate cases the Schools' Psychological Service may arrange for home tuition.

It is important that arrangements are made for pupils under suspension to sit any public examinations for which they are entered.'

(January 1996)

During any period of suspension supervision is the responsibility of the child's parents or guardians.

3. Data is not readily available in the format requested and to obtain the information would require an extensive search of files held by all schools and those of the Schools' Psychology Service. However, a report prepared in June 1997 by the Headteachers of the four 11-16 schools, in conjunction with the Principal Educational Psychologist and the Education Welfare Officer, identified 27 pupils with emotional, social and behavioural problems whose behaviour was considered to compromise the quality of the learning environment. A similar, as yet unvalidated, survey completed in June 2000 identified 68 pupils with severe difficulties.

There are currently 22 pupils with emotional and behavioural difficulties who are the subject of statements of special educational needs within the Island's 11-16 secondary schools. Of these 12 are pupils at Le Rocquier School; seven at Les Quennevais School; two at Grainville School and one at Haute Vallée.

4. (a) 15

(b) 16.

5. The Education Committee has not set a maximum number of pupils with emotional/social/behavioural problems who are capable of being accommodated within the normal school environment, nor could it set such a limit. The needs of each pupil are considered and support is provided in order that the child may be educated in a mainstream school unless this would be incompatible with the child's needs or the needs of other children with whom he/she is educated.

6. The structure for pupils with emotional and behavioural problems. These include -

providing additional staffing to secondary schools enabling the appointment of behaviour support teachers;

providing additional support to pupils attending mainstream schools through statements of special educational needs;

expanding the Schools' Psychological Service to improve support for pupils and advice to

schools;

appointing an Educational Welfare Officer;

developing the Alternative Curriculum;

establishing d'Hautrée House School which provides places for up to 25 pupils with emotional and behavioural difficulties.

The Committee, subject to funding, will also increase the number of places at Les Chenes Residential School from 18 to 24.

The Department, working with schools, is developing a comprehensive strategy for Special Educational Needs, including pupils with emotional and behavioural difficulties. The strategy will be available for consultation with schools in September and, following that consultation, will be considered by the Education Committee. The strategy will identify both provision and resource requirements. Concurrently, the Department is working with one of the 11-16 schools to develop a model for enhanced behaviour support which, if successful, may be extended to other schools."

Health care in Jersey - questions and answers (Tape No. 593)

Senator Corrie Stein asked Senator Stuart Syvret, President of the Health and Social Services Committee, the following questions -

"1. Would the President advise members -

- (a) of the number of patients on the waiting list and the length of time they have been waiting to see the following consultants or service?
 - (i) orthopaedics
 - (ii) gynaecology
 - (iii) urology
 - (iv) ophthalmology
 - (v) physiotherapy

and would he also give the number of patients on those same specialities who are waiting for operations following their first visit and how long do they have to wait.

- (b) if more beds are needed, how and when will they be introduced?
 - (c) if more consultants are needed in trauma and orthopaedics and gynaecology, what action is the Committee taking?
2. It is now official, according to the OECD, that France has the best health care in the world. As France is our nearest neighbour and as our Strategic Policy, agreed by the States, is that Jersey people should have the same or better services as the United Kingdom and neighbouring countries, is the Committee seriously considering approaching France to see if we can buy certain health care from them to both our benefits?
 3. As a result of a working party which I led in 1995, an undertaking was given to return the results of cervical screening tests within two weeks to 80 per cent of the patients and within four weeks to 100

per cent of the patients. Would the President advise members whether in the last three years these targets have been achieved and if not, why not?"

The President of the Health and Social Services Committee replied as follows -

“1(a) (i) The waiting list in respect of orthopaedics is as follows -

417 patients are waiting for an outpatient consultation and the waiting time varies between one and two weeks for urgent referrals, whilst other patients can wait for up to 20 to 21 weeks for a non-urgent/routine appointment.

There are currently 526 patients listed for surgery, 272 of them have been waiting for less than two months, 149 for more than two months, but less than six months, 63 less than nine months, with 42 having waited over nine months.

(ii) The waiting list in respect of the gynaecology service confirms that there are currently 207 patients waiting for an outpatient consultation and the maximum waiting time is five-six weeks. There are currently 131 women listed for surgery, 108 having waited less than two months, 15 for more than two months but less than six months, six less than nine months, with two having waited over nine months.

(iii) 158 patients are currently waiting for an outpatient consultation with the urology service and the waiting times vary between one and two weeks for urgent cases whilst other patients can wait up to 21 weeks for a non-urgent/routine appointment. There are currently 33 patients listed for surgery, 29 have been waiting less than two months, three for more than two months but less than nine months, with one patient waiting in excess of nine months.

(iv) The waiting list in respect of the ophthalmology service is as follows -

232 patients are waiting to be seen in outpatient clinics. Whilst urgent referrals will be seen within one-two weeks, other patients will experience waiting times of up to nine weeks, however, if a patient wishes to be referred to a particular consultant the waiting time may be longer. There are 132 patients currently waiting for surgery, 50 of them for less than two months, 36 for more than two months but less than six months, and no patients waiting more than six months unless they wish to see a particular surgeon.

(v) Physiotherapy

All referrals are screened by a senior member of staff on the day of receipt and professional judgement is used to prioritise the patients' needs. Four categories of service are provided with patients from Accident and Emergency being seen immediately or within 36 hours. Patients newly out of plaster are seen on the same day. Those included within the orthopaedic fast-track scheme, of whom there are currently 24, are treated within three weeks. Routine patients, of whom there are 19 on the waiting list, will be seen within a 7-21 day period.

(b) Whilst it is clear that demand is rising and increased capacity will be required, it is not certain that the provisions of more hospital beds, within the Acute setting, is the most effective investment available to my Committee. It has been estimated that each additional bed provided costs £45,000 per annum and that a twenty-bedded ward would therefore require an additional £900,000 on a recurring basis.

Within its next five-year strategy, which will be put to the States before the end of this year, the Committee will identify a raft of measures which could be put in place to provide improved

services. These could include the contracting of convalescence beds and services from the private sector, investment in community resources to promote the more effective discharge of patients and the treatment and management of others to prevent their hospital admission when appropriate. The Committee has made modest investment in these important areas during the past eighteen months but it is quite evident that much more could be achieved given sufficient resources. In addition, the Committee will consider the merits of contracting non-urgent surgery from other jurisdictions, including the United Kingdom and France.

(c) The recent service review concluded, amongst other things, that a more detailed analysis of future medical manpower requirements should be undertaken, as some services, including orthopaedics and gynaecology, were particularly hard pressed. This process began in May and is scheduled for completion by September. It is intended that key recommendations will be included within the next five-year Health & Social Services Strategy which is currently being prepared and should be ready by the end of this year. It should be recognised that the creation of any additional consultant posts will have considerable resource consequences as, in every instance, investment in supporting infrastructure (nurses, paramedics, clerical and other support staff) will be required. Members will be interested to note that an additional doctor and physiotherapist have been appointed to the orthopaedic team and a further consultant was selected by an appointment panel last Monday for Accident and Emergency Services.

2. Successive Health and Social Services Committees have presented strategic plans which have been approved by this Assembly, the most recent related to the years 1997-2000. In each of these plans, resource requirements have been identified and approved in principle. Unfortunately only half the investment required has been allocated and this has frustrated successive Committees in their attempts to maintain standards comparable with neighbouring countries. This under-investment, over an eight-year period, has resulted in a current budget which is £5 million below that envisaged and agreed in these strategies.

The OECD findings to which the Senator refers, are, I understand, contentious and have been disputed by health care professionals. However, as I explained in response to the first question, my Committee is currently preparing its Strategic Plan for the period 2001-2005 and it is our intention to consider whether a closer relationship with France has merit. Notwithstanding the close proximity of France, Jersey has long established relationships with the UK National Health Service and the Reciprocal Health Agreement is of great importance in making comprehensive health care available for the people of Jersey, particularly the supra-specialist services which a small Island such as ours could not provide for itself. Any additional service which might be secured from France would require a separate funding source.

3. There have been delays in reporting smear results on three occasions during the period in question, the maximum waiting time has been seven weeks. Invariably, the delays have been due to staff sickness, which significantly affects small departments. On occasions when delays were thought likely to be prolonged, smears have either been sent to the United Kingdom, or locum staff from the United Kingdom have been employed in Jersey to address the backlog.

The Committee has recently reviewed its policy in respect of cervical cytology and has endorsed a new policy which requires that 100% of smears be reported on within four weeks for 90 per cent of the time. The Committee is mindful that accuracy of reporting is by far the most important issue and that realistic reporting times which are invariably achievable should form the basis of Committee policy. The committee has been medically advised that the new policy is both appropriate and achievable. Women will be advised by their doctor as to when results might be expected, when the cervical smear is taken. The above measures should help reduce any anxiety which women might experience as a result of delayed reporting in exceptional circumstances. Currently, the waiting period for results is three weeks which falls within the Committee's revised policy for reporting."

Number of employees required to construct and staff the Waterfront leisure complex and the Waterfront hotel - questions and answers (Tape No. 593)

Senator Stuart Syvret asked Deputy Maurice François Dubras of St. Lawrence, President of the Industries Committee, the following question -

- “1. Would the President inform members of the projected number of employees required to construct and to staff -
 - (a) the Waterfront Leisure Complex?
 - (b) the Waterfront Hotel?”

The President of the Industries Committee replied as follows -

“I do not know how many people will be needed to construct the Waterfront Leisure Complex or the Waterfront Hotel.

On staff numbers, I understand that the Finance and Economics Committee gave approval in principle under the Regulation of Undertakings and Development Law for up to 200 staff for the hotel and for approximately 200 for the undertakings involved in the leisure complex. This was stated in an answer to Senator Syvret on 27th April 1999.”

Capital construction costs of the Waterfront leisure complex and hotel - question and answer (Tape No. 593)

Senator Stuart Syvret asked Senator Pierre François Horsfall, President of the Policy and Resources Committee, the following question -

- “1. Would the President inform members of the projected number of employees required to construct and to staff -
 - (a) the Waterfront Leisure Complex?
 - (b) the Waterfront Hotel?”

The President of the Policy and Resources Committee replied as following -

“The Waterfront Enterprise Board Limited is not party to discussions between the developers of the leisure complex and the hotel and their contractors and thus I cannot answer the question. A contribution of £10.9 million from the Tourism Investment Fund, plus an element for inflation, has been agreed by this Assembly towards the cost of the leisure complex.”

Provision of footpaths - questions and answers (Tape No. 593)

Deputy Gerard Clifford Lemmens Baudains of St. Clement asked Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, the following questions -

- “1. Having regard to its recent decision not to require the creation of a footpath at Pontac would the President explain -
 - (a) whether the Committee has any powers to attach conditions to a development permission to require construction of public footpaths and whether any policy exists with regard to providing footpaths where non currently exists?

- (b) what level of importance the Committee attaches to recommendations made to it by the Public Services Committee regarding highway matters?
2. With reference to a proposed development at La Fontaine Hotel, Pontac, the Committee rejected Public Services' recommendation that a footpath be constructed in that area. There is currently no footpath between Pontac slip and Le Hocq, save for a stretch of gravel path, so pedestrians have to walk in the road. Would the President therefore explain why it was considered unnecessary to provide a footpath in this instance?"

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

- "1.(a) The Committee is empowered under the Island Planning (Jersey) Law 1964, as amended, to apply conditions to a development permission. It is not explicitly empowered to apply conditions in respect of footpaths.

The attachment of conditions to a permission is subject to 'rules' that are well-established in administrative case law in Jersey and in England and Wales on whose planning Acts our own Law is based.

In essence, such conditions must be reasonable, precise, enforceable, and must relate to the development for which permission is granted. Thus they cannot, for instance, be applied to a development for some ulterior purpose - for example, improving conditions for users of the adjoining public roads.

The Committee has policies relating to road-widening contained in the Island Plan. The Town Map, approved by the States in November 1987, and subject to public consultation, shows a number of road improvement lines to main-roads and by-roads. Whether these are to improve footpaths or vehicular carriageways is a matter for the respective highway authorities. The improvement lines forewarn property owners that part of their land is required for roadworks. If the Planning and Environment Committee receives applications for sites affected by those road improvement lines, then it will require development to be set back to the line. It is for the highway authority to negotiate with the landowner for the acquisition of the additional land which will, presumably, reflect the loss of development opportunity. If there are no applications, then it is incumbent on the highway authority to negotiate with the owners to implement the improvement.

The Deputy will be aware that all these matters were fully discussed by the Planning and Environment and Public Services Committees at the joint meeting on 18th May 2000.

- (b) The Committee is required by the Island Planning Law to consult the relevant highway authority, be it the Parish or Public Services Committee, when development proposals have the potential to endanger the safety of users of an adjoining road or would hinder any proposals for the improvement of the road previously notified to the Committee by the highway authority (Article 6).

The Committee attaches great importance to the comments and recommendations of the Public Services Committee (and parishes) regarding highway matters. Where it is legally entitled to do so, it will place conditions on a permission, or require amendments to drawings, to embrace those recommendations.

2. In May 1997, the owners of La Fontaine Hotel applied to widen the vehicular access to the coast road and increase the area of car parking for hotel residents. The comments of the Public Services Department on that application were 'it would aid the visibility if the roadside walls were reduced in height to 900mm (three feet) above road level for its entire length'. A further comment from Public Services added 'the proposed gate post to be restricted in height to 900mm above road

level'.

There was no suggestion of any other requirements to improve road safety that related to the development being applied for.

In April 1999 the owners of the hotel applied to change the use of the hotel to ordinary residential accommodation through a combination of refurbishment, conversion and redevelopment. The Committee's deliberations on this application were lengthy, principally because of the Tourism Committee's concern about the loss of tourist accommodation in a prime sea-front location.

On 14th May 1999, the Planning Department received a memorandum from the Public Services Department offering the following observations -

1. In accordance with the Public Services Committee's policy of providing footpaths on States main roads, we would require that a footpath 1.5 metres wide be provided along La Grande Route de la Côte frontage.
2. The visibility of the access onto La Grande Route de la Côte must be 2.00 metres x 50 metres.
3. It would appear that the refuse vehicle would need to stand in the main road while emptying the bins, this is not desirable.
4. How will people access the communal gardens?
5. Although the access off La Rue de la Prince is not the concern of this Department, we would question whether vehicles manoeuvring in and out of the spaces will encroach onto La Rue de Jambart.'

The Committee conceded the principle of the change of use in September 1999, and thereafter discussions ensued on the detailed design of the scheme, including matters referred to in the Public Services Department memorandum.

The observations 2 to 5 inclusive were addressed and resolved in these negotiations. The Deputy's question obviously refers to the first observation.

It is not the purpose of the Island Planning (Jersey) Law 1964, as amended, to secure the gratuitous provision of highway improvements. Public Services Committee's 'requirement' is not something that can be secured by planning conditions, unless it is something that is necessitated by the development for which permission is being sought.

Had La Grande Route de la Côte had a road improvement line that had been subject to public consultation and adopted as part of the Island Plan or some other States policy decision or had there been a specific proposal of which the Planning and Environment Committee and the landowner had previously been notified, then it is possible that the Committee could have taken it into account. It would be wholly unreasonable to require property owners to give up part of their property in these circumstances as a condition of a planning permission.

If the Public Services Committee, or a parish, seeks to improve its public highways, then it is incumbent on it to publish its proposals in sufficient detail to inform the owners of the properties that will be affected. It must then negotiate directly with the owners to secure the requisite land to effect the improvement. It must expect to compensate the owners of the land for its proper value. In the case of La Fontaine Hotel, the requirement would have reduced the number of car parking spaces which, in turn would have reduced the yield of the site. It would be unreasonable to expect the owner not to be compensated for this loss. The Public Services Committee has compulsory purchase powers to secure the land if agreement cannot be reached.

In the event, the Applications Sub-Committee did consider the issue of providing a footpath at its meeting on 12th January 2000, but considered that the construction of a footpath on this property only could exacerbate pedestrian safety by forcing pedestrians to step out into the road, from behind a high wall, into the path of oncoming traffic. Surely, if the highway authority wishes to create a footpath from La Rue de Jambart to Le Hocq Lane, which I am sure the Planning and Environment Committee would support, it should commence negotiations with all the owners in order to achieve it.”

The Millennium Town Park project - questions and answers (Tape No. 593)

Deputy Alan Simon Crowcroft of St. Helier asked Senator Pierre François Horsfall, President of the Policy and Resources Committee, the following questions -

- “1. Would the President confirm that the Millennium Town Park project was one of the bids put forward by the Planning and Environment Committee for prioritisation in the capital programme for 2000-2003 at the decision conference held in April 1999 and that the Planning and Environment Committee’s delegate at the decision conference withdrew the item from the prioritisation process following advice from members of the Policy and Resources Committee, namely that, as the Island’s preferred Millennium project, the Town Park would be subject to separate consideration for funding from the Millennium Fund once the feasibility studies on the project were complete?
2. Would the President indicate what the balance is in the Millennium Fund? Is it the Committee’s intention to top up the fund in order that the cost of the town park project, less the element of capital funding agreed in principle by the Public Services Committee in respect of the car parking element of the scheme, can be met from the fund?
3. Would the President account for the reason for the delay in the Committee’s producing the Report on the Millennium Town Park: petition, P.190/97, and would he further state when this report will be available?
4. Does the President agree that, in view of the considerable social, economic and environmental benefits that will accrue from the project, a task force should be set up to progress the scheme, and that as the Island’s preferred Millennium Project this work should be started without further delay?”

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

- “1. Yes.
2. The current balance is £1,932,400. However the funds allocated to the Town Park are £1,225,000. Any topping up of the fund is a matter for the Finance and Economic Committee. My Committee presently has no plans to invite the Finance and Economics Committee to consider this at the present time.
3. Following the submission of the petition (P.190/97) to the States by Deputy Crowcroft in December 1997, the advice of the Greffier of the States at that time was for the Policy and Resources Committee to take the lead in commissioning the necessary reports and co-ordinate a response to the petition. The Committee decided, upon advice, that it would not be appropriate for it to produce a report until a detailed feasibility study of the project has been completed. No immediate action was taken on this but a feasibility study was eventually completed by the Planning and Environment Committee and published in March 2000.

In the light of this, the way is now open to the Policy and Resources Committee to consider the

1997 petition and it will be considering this shortly.

4. I agree that it is potentially an excellent project. But it cannot proceed until the planned underground car park is completed and the question of funding for the car park has yet to be resolved.”

St. Helier Waterfront leisure complex lease: amendments to legal documentation (revisions)

THE STATES, commenced consideration of a proposition of Senator Stuart Syvret regarding the St. Helier Waterfront leisure complex lease: amendments to legal documentation (revisions). After discussion, and on the proposition of Deputy Terence John Le Main of St. Helier, the proposition was lodged “au Greffe”.

Senator Christopher Gerard Pellow Lakeman declared an interest and withdrew from the Chamber prior to the consideration of the matter.

St. Helier Waterfront leisure complex lease: second amendments to legal documentation

THE STATES, commenced consideration of a proposition of Senator Paul Vincent Francis Le Claire regarding the St. Helier Waterfront leisure complex lease: second amendments to legal documentation. After discussion, and on the proposition of Deputy Terence John Le Main of St. Helier, the proposition was lodged “au Greffe”.

Senator Christopher Gerard Pellow Lakeman declared an interest and withdrew from the Chamber prior to the consideration of the matter.

St. Helier Waterfront leisure complex lease: length of lease

THE STATES, commenced consideration of a proposition of Senator Stuart Syvret regarding the St. Helier Waterfront leisure complex lease: length of lease. After discussion, and on the proposition of Deputy Terence John Le Main of St. Helier, the proposition was lodged “au Greffe”.

Senator Christopher Gerard Pellow Lakeman declared an interest and withdrew from the Chamber prior to the consideration of the matter.

Teaching of Jèrriais: grant of funds from the general reserve - P.123/2000

THE STATES, commenced consideration of a proposition of the Education Committee concerning the Teaching of Jèrriais: grant of funds from the general reserve. After discussion Deputy Jeremy Laurence Dorey of St. Helier proposed that the States move to the consideration of the next item on the order paper, which proposition was rejected.

Members present voted as follows -

“Pour” (17)

Senators

Horsfall, Stein, Quérée, Walker.

Deputies

H. Baudains(C), St. Mary, Duhamel(S), Routier(H), Layzell(B), Grouville, Le Main(H), Crowcroft(H), Vibert(B), St. Peter, Dorey(H), Troy(B), Le Hérisserie(S).

“Contre” (26)

Senators

Le Maistre, Bailhache, Norman, Kinnard, Le Sueur, Le Claire.

Connétables

St. Mary, St. Helier, St. Martin, St. Ouen, Trinity, St. Clement, St. Lawrence.

Deputies

S. Baudains(H), Breckon(S), Huet(H), St. Martin, St. John, Dubras(L), G. Baudains(C), Voisin(L), Farnham(S), Ozouf(H), Fox(H), Bridge(H), Martin(H).

THE STATES resumed consideration of the proposition but after further discussion the President of the Education Committee withdrew the proposition, the Attorney General having advised the Assembly that it would be ultra-vires for the States to adopt it.

Deputy Celia Joyce Scott Warren of St. Saviour declared an interest and withdrew from the Chamber prior to the consideration of the matter.

Chief Officer of the States of Jersey Police Force: appointment - P.117/2000 (consideration in camera)

The Bailiff, in pursuance of Article 9(4) of the Police Force (Jersey) Law 1974, as amended, and in accordance with Standing Order No. 46(2), ordered the withdrawal of strangers and the closing of the doors of the Chamber in order that the appointment of the Chief Officer of the States of Jersey Police Force be considered in camera.

THE STATES, having deliberated thereon in camera, proceeded to vote in public assembly and, adopting a proposition of the Home Affairs Committee, and in accordance with Article 9 of the Police Force (Jersey) Law 1974, as amended, appointed Mr. Graham Power QPM, MA as Chief Officer of the States of Jersey Police Force with effect from 1st December 2000.

Members present voted as follows -

“Pour” (43)

Senators

Horsfall, Le Maistre, Stein, Quérée, Bailhache, Syvret, Norman, Walker, Kinnard, Le Sueur, Le Claire.

Connétables

St. Mary, Grouville, St. Helier, St. Martin, St. Ouen, Trinity, St. Clement, St. Brelade, St. Lawrence.

Deputies

H. Baudains(C), S. Baudains(H), Duhamel(S), Routier(H), Layzell(B), Breckon(S), Grouville, St. Martin Le Main(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L), G. Baudains(C), Dorey(H), Troy(B), Voisi (L), Scott Warren(S), Farnham(S), Le Hérissier(S), Fox(H), Bridge(H), Martin(H).

“Contre” (2)

Deputies

Huet(H), St. John.

States Veterinary Officer: appointment - P.116/2000 (appointment in camera)

The Bailiff, in pursuance of Article 1A(2) of the Diseases of Animals (Jersey) Law 1956, as amended, and in accordance with Standing Order No. 46(2) ordered the withdrawal of strangers and the closing of the doors of the Chamber in order that the appointment of the States Veterinary Officer be considered in camera.

THE STATES having deliberated thereon in camera, proceeded to vote in public assembly and, adopting a proposition of the Agriculture and Fisheries Committee, and in accordance with Article 1A(2) of the Diseases of Animals (Jersey) Law 1956, as amended, approved the appointment of Mr. Michael Nicholls BVSc, MVSc, MRCVS as the States Veterinary Officer.

Waterfront Enterprise Board Limited: appointment of Non-States directors - P.124/2000

THE STATES, commenced consideration of a proposition of the Policy and Resources Committee concerning the Waterfront Enterprise Board Limited: appointment of Non-States Directors, and of an amendment of Deputy Alan Simon Crowcroft of St. Helier that, in paragraph (a), for the words ‘the following collectively’ there should be substituted the words ‘three of the following’; that after the list of names there should be inserted the name ‘Mr. Bob Henkhuzens’; and that for the words from ‘and to elect’ to the end of the paragraph there should be substituted the following -

‘and following the election of three Non-States Directors to proceed to elect as Chairman of the Board one of their number.’

After discussion, and on the proposition of Deputy Terence John Le Main of St. Helier, the amendment was lodged “au Greffe”.

THE STATES, adopting a proposition of the Policy and Resources Committee -

(a) appointed for a period of three years expiring on 20th August 2003 the following collectively as Non-

States Directors of the Waterfront Enterprise Board Limited -

Mr. David Martin Bralsford
Mr. Peter Joseph Crespel
Jurat John Claude Tibbo

and elected Mr. David Martin Bralsford as Chairman of the Board;

(b) charged the Greffier of the States to notify the Company accordingly.

THE STATES, granted leave to Deputy Alan Simon Crowcroft of St. Helier to withdraw the amendment to the proposition lodged “au Greffe” at the present meeting.

St. Helier Waterfront Hotel: petition - P.65/2000 - (P.65/2000) - comments(2)

THE STATES rejected a proposition of Senator Stuart Syvret -

- (a) requesting the Policy and Resources Committee to instruct the Waterfront Enterprise Board Limited to cease all negotiations concerning the granting of a lease for the land on which it was proposed that the St. Helier Waterfront Hotel be constructed;
- (b) requesting the Planning and Environment Committee to establish guidelines and an overall cohesive plan for the St. Helier Waterfront, the Island site and for the Weighbridge area, before any further development in those areas was approved.

Members present voted as follows -

“Pour” (11)

Senators

Syvret, Kinnard, Le Claire.

Connétables

Grouville.

Deputies

H. Baudains(C), Breckon(S), Huet(H), G. Baudains(C), Scott Warren(S), Le Hérissier(S), Martin(H).

“Contre” (33)

Senators

Horsfall, Le Maistre, Stein, Quérée, Norman, Walker, Le Sueur, Lakeman.

Connétables

St. Mary, St. Peter, St. Helier, St. Martin, St. John, St. Saviour, St. Clement, St. Brelade, St. Lawrence.

Deputies

S. Baudains(H), Routier(H), Layzell(B), Grouville, St. Martin, Le Main(H), Crowcroft(H), Vibert(B)
St. Peter, Dubras(L), Dorey(H), Troy(B), Voisin(L), Ozouf(H), Fox(H), Bridge(H).

THE STATES rose at 6.26 p.m.

G.H.C. COPPOCK

Greffier of the States.