

**THE STATES assembled on Tuesday,
16th January 2001 at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Michael Cameron St. John Birt, Esquire**

All members were present with the exception of -

Senator Christopher Gerard Pellow Lakeman - ill
Philip Francis Ozouf, Connétable of St. Saviour - ill
Shirley Margaret Baudains, Deputy of St. Helier - out of the Island
Jennifer-Anne Bridge, Deputy of St. Helier - ill.

Prayers

Royal Visit - Her Majesty The Queen and His Royal Highness Prince Philip, The Duke of Edinburgh

The Deputy Bailiff informed the House officially of the forthcoming visit of Her Majesty The Queen and His Royal Highness Prince Philip, The Duke of Edinburgh on 13th July 2001.

Senator Pierre François Horsfall expressed the pleasure which the news of the visit had given to all members of the Assembly and proposed the appointment of a Royal Visit Committee.

THE STATES agreed to form a Committee under the Presidency of the Bailiff comprising the following -

The Senior Senator;
The Senior Connétable;
The Senior Deputy;
The President of the Education Committee; and

other members to be co-opted as the programme developed and was agreed.

Royal Visit - H.R.H. The Princess Royal

The Deputy Bailiff informed the Assembly of the forthcoming visit of Her Royal Highness The Princess Royal from 25th to 26th June 2001 in connexion with her work with the Durrell Wildlife Conservation Trust.

Acting Greffier of the States

The Deputy Bailiff informed the Assembly that, in accordance with Article 5(2) of the Departments of the Judiciary and the Legislature (Jersey) Law 1965, as amended, the Bailiff had appointed the Assistant Greffier of the States, Mrs. Anne Helen Harris, to discharge the functions of the Greffier of the States and the Deputy Greffier of the States in the event of their absence or incapacity and had administered the appropriate oath to Mrs. Harris in accordance with the provisions of Article 7(2) of the said Law on 29th December 2000.

Photograph at the next States meeting

THE STATES agreed to the request of the media that photographs and film might be taken at the special States

sitting to be held on 25th January 2001 to welcome Air Chief Marshal Sir John Cheshire, K.B.E., C.B., the newly appointed Lieutenant Governor, who would be present for the first time.

Falkland Islands

The Deputy Bailiff informed the Assembly that the Bailiff had received a letter from the Governor of the Falkland Islands expressing pleasure at receiving visitors from Jersey at Government House and conveying warm wishes from the people of the Falkland Islands.

Legislation Committee - resignation of member

THE STATES noted the resignation of the Deputy of Grouville from the Legislation Committee.

Subordinate legislation tabled

The following enactments were laid before the States, namely -

Electronic Communications (Jersey) Order 2000. R & O 151/2000.

Post Office (General Provisions) (Amendment No. 46) (Jersey) Order 2000. R & O 152/2000.

Amendment (No. 24) to the Tariff of Harbour and Light Dues. R & O 153/2000.

Amendment (No. 25) to the Tariff of Harbour and Light Dues. R & O 154/2000.

Community Provisions (Maintaining a freeze of funds in relation to Mr. Milosevic and associated persons) (Jersey) Order 2000. R & O 155/2000.

Criminal Procedure (Taking Offences into Consideration) (Jersey) Rules 2000. R & O 156/2000.

Parish Rate (Form of Documents) (Jersey) Order 2000. R & O 157/2000.

Medicines (Aristolochia and Mu Tong etc.) (Temporary Prohibition) (Jersey) Order 2001. R & O 1/2001.

Medicines (Prescription Only) (Amendment No. 3) (Jersey) Order 2001. R & O 2/2001.

Medicines (Sale and Supply) (Miscellaneous Provisions) (Amendment No. 3) (Jersey) Order 2001. R & O 3/2001.

Medicines (General Sale List) (Amendment No. 3) (Jersey) Order 2001. R & O 4/2001.

Financial Services (Investment Business (Accounts, Audit and Reports)) (Jersey) Order 2001. R & O 5/2001.

Financial Services (Investment Business (Client Assets)) (Jersey) Order 2001. R & O 6/2001.

Financial Services (Investment Business (Insurance Business - Exemption)) (Jersey) Order 2001. R & O 7/2001.

Financial Services (Investment Business (Overseas Persons - Exemption)) (Jersey) Order 2001 R & O 8/2001.

Financial Services (Investment Business (Registration and Fees)) (Jersey) Order 2001. R & O 9/2001.

Financial Services (Investment Business (Restricted Investment Business - Exemption)) (Jersey) Order 2001. R & O 10/2001.

Financial Services (Investment Business (Special Purpose Investment Business - Exemption)) (Jersey) Order 2001. R & O 11/2001.

Financial Services (Trust Company Business (Exemptions No. 3)) (Jersey) Order 2001. R & O 12/2001.

Financial Services (Trust Company Business (Exemptions No. 4)) (Jersey) Order 2001. R & O 13/2001.

Financial Services (Trust Company Business (Exemptions No. 5)) (Jersey) Order 2001. R & O 14/2001.

Financial Services (Trust Company Business (Registration and Fees)) (Amendment No. 2) (Jersey) Order 2001. R & O 15/2001.

Matters presented

The following matters were presented to the States -

States of Jersey Law 1966, as amended: delegation of functions - food safety - R.C.5/2001.
Presented by the Health and Social Services Committee.

Report of the Review Panel on the Machinery of Government in Jersey.
Presented by the Policy and Resources Committee.

Jersey Airport, St. Peter: Alpha taxiway financing (P.2/2001) - comment - P.2/2001 Com.
Presented by the Finance and Economics Committee.

The following matters were presented on 19th December 2000 -

Housing Regulations: reduction in residence period (P.212/2000): comments - P.212/2000 Com.
Presented by the Finance and Economics Committee.

Overseas Aid Committee: annual report for 1999.
Presented by the Overseas Committee.

The following matters were presented on 2nd January 2001 -

United Nations International Covenant on Civil and Political Rights: Concluding Observations of the Human Rights Committee - R.C.1/2001.
Presented by the Policy and Resources Committee.

International Conventions and Agreements - progress report for the period 1st April 2000 to 30th September 2000 - R.C.2/2001.
Presented by the Policy and Resources Committee.

Succession rights. R.C.3/2001.
Presented by the Legislation Committee.

Disqualification of States members and related matters - R.C.4/2001.
Presented by the Legislation Committee.

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

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 11th December 2000 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, an increase in the ground rent for the 99 year lease from

the Crown of land measuring approximately 18,750 square feet (0.97 vergées) at Le Parc de la Bell Fontaine, La Rue de l'Aval, St. Martin (upon which has been constructed a development of two two-bedroom flats and three three-bedroom flats for social rented purposes), to an annual figure of £10,865 from 24th June 1997, which sum reflected an 8.65 per cent increase in the fair rents set over the same period; and also that the rent review clause be revised to provide that with effect from 24th June 1997 ground rent would be reviewed and increased by the same percentage as the percentage increase during the period between the last review date and the current review date in the total annual rents set by the Housing Committee for properties leased by it. (The Committee rescinded its Act No. A2(d) of 13th March 2000 accordingly);

- (b) as recommended by the Housing Committee, the purchase from the parish of St. Helier of the road known as Le Jardin des Carreaux, St. Helier, for the sum of £10, with each party to be responsible for its own legal fees in relation to the transaction (which road had been extinguished as a Parish by-road by Act of the Royal Court, dated 28th September 2000, in accordance with Article 3 of the Extinguishment of Roads (Jersey) Law 1972, as amended);
- (c) as recommended by the Harbours and Airport Committee, the addendum to the existing lease to Channel Islands Handling Limited (Emeraude Lines) of offices E8 and E8A in the Elizabeth Terminal, in respect of accommodation (the former Police emergency incident room and small adjoining office - measuring 279 square feet) on the mezzanine floor of the Elizabeth Terminal, St. Helier, from 1st November 2000, at an annual additional rent of £4,659.30 (representing a rate of £16.70 a square foot), subject to annual review on 31st October each year until the termination of the main lease on 31st October 2007;
- (d) as recommended by the Harbours and Airport Committee, the renewal of the lease to J.H. Jaffé and Company Limited of the Old Shell House (LF5), La Folie, South Pier, St. Helier, for a period of three years from 1st November 2000, at an annual rent of £13,471.92, subject to annual review in line with the Jersey Retail Price Index;
- (e) as recommended by the Public Services Committee, the re-assignment to Drs. Nigel Minihane, Patrick Higgins and Michael Winspear of the sub-lease of Beresford House, Bellozanne Road, St. Helier for the remaining period of the lease until 6th August 2004, for the annual sum of £14,560 under the same terms and conditions as the existing head lease.

THE STATES noted an Act of the Finance and Economics Committee dated 12th January 2001 recording the following decision of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land, as recommended by the Housing Committee, with the support of the Planning and Environment Committee, under the Standing Orders relating to certain transactions in land to the purchase from Mrs. Susan Vivien Blair, née Richard, of No. 28 Columbus Street, St. Helier, a four-bedroom house, for the sum of £180,000, with each party to be responsible for its own legal fees, to be funded from Planning and Environment Committee Capital Vote C0904 - Acquisition of Land - Major Reserve.

Matters noted - acceptance of tender

THE STATES noted an Act of the Finance and Economics Committee dated 11th December 2000, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that -

- (a) the Public Services Committee had, by Act dated 27th November 2000, accepted the lowest tender received for the Phase 1 works on the Royal Court/States Building, Royal Square, St. Helier, namely that submitted by Stansell QVC Limited in the amended reduced sum of £5,639,900, in a contract period of 104 weeks;
- (b) the Public Services Committee had, by Act dated 2nd October 2000, accepted the lowest tender received for the foul sewer extension to serve the St. Matthieu Church Area properties adjacent to La Route de

l'Aleval, La Rue de la Ville au Bas, La Longue Rue, La Rue Béchervaise, La Ruettes ès Boeufs and La Rue du Petit Aleval in the Parishes of St. Mary, St. Peter and St. Lawrence, namely that submitted by P. Tran (Jersey) Limited in the sum of £755,671.67.

Matters lodged

The following matters were lodged "au Greffe" -

Draft Shellfish (Underwater Fishing) (Jersey) Regulations 200- P.3/2001.

Presented by the Agriculture and Fisheries Committee.

Morier House, Halkett Place: assignment of rights and obligations of funding arrangement - P.4/2001.

Presented by the Planning and Environment Committee.

Bel Royal School Nursery: approval of drawings - P.5/2001.

Presented by the Education Committee.

Les Quennevais Dance Studio: approval of drawings - P.6/2001.

Presented by the Sport, Leisure and Recreation Committee.

The following matters were lodged on 19th December 2000 -

Le Geyt Flats: refurbishment - Phases V and VI - P.227/2000.

Presented by the Housing Committee.

Grouville School redevelopment: Phase II - approval of drawings - P.228/2000.

Presented by the Education Committee.

Jersey Child Care Trust: appointment of chairman - P.229/2000.

Presented by the Education Committee.

Draft HSBC Republic (C.I.) Limited (Jersey) Law 2000 (Appointed Day) Act 200- P.230/2000.

Presented by the Finance and Economics Committee.

Sandybrook Hospital Site: transfer of administration - P.231/2000.

Presented by the Health and Social Services Committee.

The following matters were lodged on 2nd January 2001 -

Draft Shops (Sunday Trading) (Amendment No. 4) (Jersey) Law 200 P.1/2001.

Presented by the Legislation Committee.

Jersey Airport, St. Peter: Alpha taxiway financing - P.2/2001.

Presented by the Harbours and Airport Committee.

Arrangement of public business for the present meeting

THE STATES confirmed that the following additional matters lodged "au Greffe" would be considered at the present meeting -

Draft Disability Transport Allowance (Jersey) Regulations 200- P.222/2000.

Lodged: 5th December 2000.

Employment and Social Security Committee.

Draft Finance (Jersey) Law 200-: third reading - P.223/2000.

Lodged in second reading: 7th December 2000.

Finance and Economics Committee.

Draft Police Force (Amendment No. 8) (Jersey) Law 2000 (Appointed Day) Act 200- P.224/2000.

Lodged: 12th December 2000.

Home Affairs Committee.

Manual Workers' Joint Council: Employers' Side membership - 2001 - P.225/2000.

Lodged: 12th December 2000.

Human Resources Committee.

Draft Food Safety (Miscellaneous Provisions) (Jersey) Law 2000 (Appointed Day) Act 200- P.226/2000.

Lodged: 12th December 2000.

Health and Social Services Committee.

Le Geyt Flats: refurbishment - Phases V and VI - P.227/2000.

Lodged: 19th December 2000.

Housing Committee.

Grouville School extension and remodelling: Phase 2 - approval of drawings - P.228/2000.

Lodged: 19th December 2000.

Education Committee.

Jersey Child Care Trust: appointment of chairman - P.229/2000.

Lodged: 19th December 2000.

Education Committee.

HSBC Republic Holdings (C.I.) Limited (Jersey) Law 2000 (Appointed Day) Act 200- P.230/2000.

Lodged: 19th December 2000.

Finance and Economics Committee.

Sandybrook Hospital Site: transfer of administration - P.231/2000.

Lodged: 19th December 2000.

Health and Social Services Committee.

Jersey Airport, St. Peter: Alpha taxiway financing - P.2/2001.

Lodged: 2nd January 2001.

Harbours and Airport Committee.

THE STATES acceded to the request of the President of the Public Services Committee that the proposition regarding 50 Colomberie and 1 Little Street, St. Helier: conditions of sale (P.217/2000 lodged "au Greffe" on 21st November 2000) be withdrawn.

Arrangement of public business for the next meeting on 30th January 2001

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 30th January 2001 -

Social Security registration cards: proof of identity - P.113/2000.

Lodged: 4th July 2000.

Senator P.V.F. Le Claire.

Social Security registration cards - proof of identity (P.113/2000): report - P.113/2000 Rpt.

Presented: 7th November 2000.

Employment and Social Security Committee.

Draft Shops (Sunday Trading) (Amendment No. 4) (Jersey) Law 200 P.1/2001.
Lodged: 2nd January 2001.
Legislation Committee.

Draft Shellfish (Underwater Fishing) (Jersey) Regulations 200- P.3/2001.
Lodged: 16th January 2001.
Agriculture and Fisheries Committee.

Bel Royal School Nursery: approval of drawing - P.5/2001.
Lodged: 16th January 2001.
Education Committee.

Les Quennevais Dance Studio: approval of drawings - P.6/2001.
Lodged: 16th January 2001.
Sport, Leisure and Recreation Committee.

Security of tenure and the guaranteed return of deposits to tenants - question and answer (Tape No. 632)

Senator Paul Vincent Francis Le Claire asked Deputy Terence John Le Main of St. Helier, President of the Housing Committee, the following question -

“Members will be aware that in many other jurisdictions, security of tenure and the guaranteed return of deposits with interest are available to tenants. Would the President advise members -

- (a) if the Committee is aware of any steps being taken to secure the return of tenants’ deposits held by landlords?
- (b) whether the Committee is considering legislation to cover the guaranteed return of such deposits together with interest accrued?”

The President of the Housing Committee replied as follows -

- “(a) the Committee is aware that the Citizens’ Advice Bureau plays a useful role in assisting tenants and landlords when disputes have arisen over the return of tenants’ rental deposits;
- (b) the Committee met with the manager of the Citizens’ Advice Bureau in May 2000, to discuss whether there were sufficient grounds to introduce new legislation to cover the guaranteed return of tenants’ deposits with interest accrued. The Committee was advised that the Citizens’ Advice Bureau has dealt with a number of cases in recent years and continues to offer to act as a intermediary between landlord and tenant. In the event of this not resolving the dispute the aggrieved party is entitled to take the matter to the Petty Debts Court.

The Committee has decided that there is insufficient justification at the present time for the introduction of new legislation.”

Compliance of Regulation 1(1)(k) of the Housing (General Provisions) (Jersey) Regulations 1970 with the Human Rights (Jersey) Law 2000 - question and answer (Tape No. 632)

Senator Paul Vincent Francis Le Claire asked Deputy Terence John Le Main of St. Helier, President of the Housing Committee, the following question -

- “(a) is the Committee satisfied that the procedure for granting consent under Regulation 1(1)(k) of the Housing (General Provisions) (Jersey) Regulations 1970 will be in compliance with the Human Rights

(Jersey) Law 2000 when that Law comes into force?

- (b) if the answer to (a) is in the negative would the President undertake to research this matter in conjunction with any other relevant Committee of the States and report back to the Assembly as soon as possible?"

The President of the Housing Committee replied as follows -

- “(a) in this answer, I have assumed that the question is directed at whether the power to grant consents under Regulation 1(1)(k) of the Housing (General Provisions) (Jersey) Regulations 1970 will be compatible with the Human Rights (Jersey) Law 2000 and not at whether the procedure for applying for such consents is itself so compatible.

The Committee is satisfied that the power to grant consents under Regulation 1(1)(k) will be compatible with the Human Rights Law. That is, that Regulation 1(1)(k) will not contravene any of the Convention Rights set out in Schedule 1 to the Human Rights Law.

The Housing Regulations have already been considered in two cases before the European Commission of Human Rights: Michael Dun -v- UK in 1984 and John Walker-Bow -v- UK in 1990. In both cases the Commission declared the complaints that the Regulations were incompatible with the Convention ‘manifestly ill founded’.

On Regulation 1(1)(k), specifically, the Commission rejected both applicants’ contentions that the Regulation was incompatible with the Convention because, respectively, the Regulation was discriminatory in the sense prohibited by Article 14 of the Convention or that it was in breach of the property rights protected by Article 1 of the First Protocol to the Convention.

- (b) notwithstanding my answer to Question (a), my Committee will, as a matter of course, be carrying out an audit of all its Laws, Regulations, and policies before the coming into force of the Human Rights (Jersey) Law 2000.”

Publication of the official notices in the Jersey Gazette - question and answer (Tape No. 632)

Senator Paul Vincent Francis Le Claire asked Senator Wendy Kinnard, President of the Legislation Committee, the following question -

“Would the President outline if any steps have been taken by the Committee in assessing whether the publication of official notices in the Jersey Gazette, as currently required by the Official Publications (Jersey) Law 1960 and other statutes, best meets current conditions and requirements?”

The President of the Legislation Committee replied as follows -

“As a result of questions asked in the States and the Committee’s interest in how the public are informed of official matters such as the enactment of legislation, the Legislation Committee circularised all other Committees with Act A6 of 21st July 2000 which outlined various alternatives for the publication of official notices. The Committee Act invited comments from all Committees on the issues involved.

In assessing whether official notices should continue to be published in the Jersey Gazette, as currently required by the Official Publications (Jersey) Law 1960, three questions arise -

first, what are the most effective ways of communicating official information to the public?

second, arising from this, what information should be deemed official?

third, what are the most cost effective ways of achieving this?

Our preliminary views are as follows -

it is no longer appropriate to use only one vehicle for disseminating such information. Alternatives, or supplementary methods such as publication of the Gazette on an official web-site, the weekly publication and distribution of a broad sheet publication to all households are under discussion;

some information does not seem to merit Gazette publication. For example, revised times for parish rubbish collections, details of parish senior citizens' parties, etc.;

in terms of cost effectiveness, Audit Report number 9 ('Review of General Advertising') reported upon cost effectiveness of States advertising. Inter-alia, it recommended that the States obtain greater discounts on Gazette and advertising space. The report also recommended that the Corporate Supplies department become involved in negotiating discounts.

In conclusion, the Committee received few responses to the initial Act and will be sending a detailed questionnaire to interested parties including the Connétables. Clearly, amendment to the Official Publications (Jersey) Law 1960 would be necessary should any of the proposed alternatives be agreed."

Facilities for pedestrians in the town area - question and answer (Tape No. 632)

Senator Paul Vincent Francis Le Claire asked Deputy Alan Simon Crowcroft of St. Helier, President of the Public Services Committee, the following question -

"In 1999 I held a public meeting on improvements for pedestrians in St. Helier No. 1 District and subsequently pressed for improvements. Would the President advise members what is being done to improve facilities for pedestrians at -

- (a) the Howard Davis Park on La Route du Fort?
- (b) the mini roundabout near the Hotel de Normandie?
- (c) the south end of Dicq Road?
- (d) the wheelchair slope on the Dicq slipway?"

The President of the Public Services Committee replied as follows -

- "(a) The Committee proposes to install a Pelican Light Controlled crossing on La Route du Fort by the junction with Beach Road outside the entrance to Howard Davis Park. However, it is not in the programme of budgeted works for 2001 and will therefore not be installed until 2002, unless funds become available through savings on other projects.
- (b) A pedestrian refuge traffic island will be installed to enable pedestrians to cross one side of the road at a time, between the Hotel de Normandie and Cleveland Stores opposite. Pedestrians will be able to reach a position whereby good visibility for traffic approaching from the east will be gained.

The Committee has considered replacing the mini roundabout with traffic signals, which would include pedestrian stages. However the signals would be over capacity at busy times so creating significantly more delays than the current mini roundabout, and with a long wait for pedestrians between signal stages. Installation of a pedestrian refuge is a simple low-cost means of providing assistance to pedestrians. Although this work is not budgeted for in 2001, as the cost of installing a traffic island is modest it can be undertaken this year without significant detrimental effect on the programme of planned works.

- (c) From correspondence with the Senator and discussions when he was a member of the Public Services Committee I believe that this question refers not to the south end of Dicq Road, but to the south end of Beach Road.

The problem for pedestrians trying to cross from Beach Road to the seaside of La Grève d'Azette is the limited visibility of traffic approaching from the west. A controlled crossing would also have limited visibility and so be potentially unsafe. The Committee therefore proposes to install a pedestrian refuge traffic island. The island will encourage pedestrians to cross as far away from the bend as possible so that visibility is maximised, and enable them to cross one side of the road at a time. The central island will also act as a traffic calming feature. Unfortunately a minor road widening is necessary to enable enough road width for the central island to be created. The land required for this would be taken from the car parking area of a recent housing development. An initial approach to the owners suggests that the proposal would be received favourably.

- (d) The Senator's wish to see facilities for the disabled at the Dicq slipway was not part of his formal request to the Public Services Committee on the subject of pedestrian facilities, although I am aware of his views on the matter and have discussed the need for improved disabled access to the beaches with a number of individuals.

Notwithstanding the practical and financial difficulties involved in making the more popular slipways of the Island accessible to wheelchair users, I believe that this is a commendable aim and one consistent with States' policies. I will therefore ask the Committee to consider the issue, as well as the particular case of the Dicq slipway, and will also seek the views of the Tourism Committee on the matter."

Representation on the Centre Ville Group and the licensing of bus services - questions and answers (Tape No. 632)

The Deputy of St. John asked Deputy Alan Simon Crowcroft of St. Helier, President of the Public Services Committee, the following questions -

- "1. (a) as the Committee has representation on the Centre Ville Group and helps with that Group's funding, does it consider that there might be conflict of interest as regards its responsibility for licensing the 'Route 88' bus service?
- (b) if the answer to (a) is in the affirmative, what steps does the Committee propose to take to distance itself from the Centre Ville Group?
- (c) in light of the findings of the Administrative Appeals Panel into the then 'Hoppa' bus service, is the Committee satisfied that appropriate procedures are in place for the licensing of the new 'Route 88' bus service?"
2. Would the President advise members of the procedure for the control of the school bus service?"

The President of the Public Services Committee replied as follows -

- "1. (a) It is true that the Public Services Committee is represented on the Centre Ville Group and that it contributes to the Group's funding. However, as the recent application for the 'Route 88' service was not made by the Centre Ville Group but by Jersey Bus it is difficult to see where a conflict of interest might arise for the Committee in its determination of that application;
- (b) as the answer to (a) is not in the affirmative, a reply to this question is not required. However, I can assure the States that the Public Services Committee will do its utmost to avoid any conflicts of interest when circumstances require the Committee to exercise statutory duties in respect of the Centre Ville Group;

- (c) strictly speaking this question is illogical given the fact that the Centre Ville Group was not responsible for the application for 'Route 88' bus service, as explained in my answer to question 1 (a). However, it may be helpful to repeat what I wrote to the Deputy of St John on 11th December 2000 in response to a similar question.

On 5th December the Deputy asked whether, in the light of the Review Board's findings, I would 'be making a statement in the States thereby saving me having to put questions that could open the door to supplementary questions.' I replied to him that: 'the Review Board findings were no surprise but raise important issues for the Committee especially in respect of its dual and contradictory role of regulating and promoting/funding bus services. In due course the regulation should be transferred to the JCRA, in my view, but we need to come up with suitable arrangements for the interim.

The matter will be fully dealt with in the forthcoming Bus Strategy which I am aiming should be out for consultation by the end of January. So I have no plans to make a statement to the House on the matter.'

2. The control of the school bus service is a large and complex subject, as it includes the regulatory, administrative and financial control of the service. To answer such a general question with adequate thoroughness would require several pages of text, as the questioner, who was until relatively recently the Vice-President of the Public Services Committee, will readily appreciate.

If the Deputy of St. John can be more specific as to the nature of his request, I will be pleased to provide detailed answers at the next sitting of the States."

Reduction in speed limit on La Grande Route des Sablons - question and answer (Tape No. 632)

The Connétable of Grouville asked Deputy Alan Simon Crowcroft of St. Helier, President of the Public Services Committee, the following question -

"The President will recall that he answered questions put by Deputy G.C.L. Baudains of St. Clement regarding a 30 mph speed limit on Grouville's coast road at the meeting on 12th December 2000.

Would the President -

- (a) advise members why the Committee did not have regard to the letter addressed to the President dated 24th November 2000 from the Parish of Grouville in which he was advised that the Parochial Assembly, which had been called on 22nd November 2000 to discuss and debate the proposal to implement the reduction in the speed limit on Grouville's coast road (La Grande Route des Sablons) had rejected the proposal by 48 to 18 persons?
- (b) inform members how many accidents in the last 10 years on La Grande Route des Sablons have been attributed by the States' Police to excessive speed?
- (c) inform members how many injuries were sustained in these accidents over the last 10 years?"

The President of the Public Services Committee replied as follows -

- "(a) The Public Services Committee decided to place a 30 mph speed limit on La Grande Route des Sablons at its meeting of 16th October 2000. It was therefore unable to have regard to the letter referred to as this was not sent until the following month. As was made clear in the previous answer to Deputy Gerard Baudains on this matter, the decision was taken on the basis of correspondence with the Connétable of Grouville which included the statement that the Parish Roads Committee 'although sympathetic to your proposals, felt that the construction of a pavement on the coast road adjacent to the Pembroke was an absolute priority in the provision of school and pedestrian safety in the area'.

The pavement has been given priority by my Committee. Two of the three necessary land transactions were passed on 22nd December 2000 and commencement of work is imminent. It was inferred from the Connétable's letter that although of lower priority, the speed limit was supported by the Parish. The result of the Parish Assembly communicated in the letter referred to in the question was noted by the Committee at its meeting of 27th November 2000. The Committee agreed that it would not make the Traffic Order concerned until further discussions had taken place with the Parish.

Given that the Parish of St Clement's Roads Committee has also indicated that it does not support the placing of a 30 mph speed limit on the St Clement section of the same road, my own view is that the Committee should not proceed with making the Orders involved until the overall policy on speed control has been debated by the States. This policy is at an advanced stage of preparation and will be discussed at the forthcoming meeting between the Public Services and Home Affairs Committees.

- (b)& The number of accidents in the last 10 years
- (c) attributed by the States Police to excessive speed on La Grande Route des Sablons is not readily available from Police records, without time consuming research through raw data. Summary data stored by the Public Services department shows that 46 injury accidents (approximately 55 injuries) occurred on the Grouville Coast Road (between the 30 mph zone at Gorey and the St. Clement boundary) from 1990 to 1999. Since the beginning of 2000, a new computerised accident database enables much improved analysis of accident data to be carried out. During the last year 16 per cent of all accidents recorded excessive speed as a contributory factor. On Grouville Coast Road (between the 30 mph zone at Gorey and the St. Clement boundary) from 1990 to 1999. Since the beginning of 2000, a new computerised accident database enables much improved analysis of accident data to be carried out. During the last year 16 per cent of all accidents recorded excessive speed as a contributory factor. On Grouville Coast Road five injury accidents."

Restoration of Mont Orgueil - question and answer (Tape No. 632)

Deputy Roy George Le Hérisssier of St. Saviour, asked Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, the following question -

"In connexion with the restoration of Mont Orgueil Castle, would the President -

- (a) outline the approvals for restoration granted to the Jersey Heritage Trust?
- (b) outline the Committee's policy in relation to the restoration of the Castle?
- (c) identify the sources of professional advice used by the Committee in considering applications?"

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

- "(a) The Committee visited Mont Orgueil on 24th February 1999 in order that members could familiarise themselves with the Heritage Trust's proposals for the site. At its meeting on 25th March 1999, the Committee expressed its support for the underlying principles of the whole project with the exception of the proposed car and coach park at La Crete Quarry. The proposed works were to be the subject of planning applications in the normal way.

There have subsequently been four specific grants of planning permission which relate to the restoration works -

26th March 1999 (Permit No. 642/C)
Alterations to existing entrance and shop.

A condition of this permit was that various details relating to both internal and external works were to be agreed with the Planning and Environment Committee's Conservation Architect.

4th May 2000 (Permit No. 642/F)

Planning permission in principle only for complete restoration of the Keep by rebuilding the 'Tudor Great Hall' and Undercroft; putting back floors and stairs in the 'D-shaped' space; refurbishing and repairing the other spaces; renewing electrical and AV services; adding water and sewage services for toilets and washup.

This permit was for Planning Permission in Principle only and a number of conditions were imposed. One condition stated that no works to the fabric of the castle were to be carried out without a survey and archaeological assessment of the affected areas having been first undertaken by Dr. Warwick Rodwel (consultant archaeologist) or another appropriately qualified archaeological expert agreed by the Committee. A further condition stated that no detailed work was to be carried out without the prior approval in writing of an authorised officer of Planning and Environment's Historic Buildings team. Detailed applications were to be made in due course in respect of the detailed proposals.

1st June 2000 (Permit No. 642/G)

Improve routes for new services pipes and cables from First Gate to the Keep including new electricity main from La Route de la Cote; new surface water connection; new toilets and washup in Keep with new pumped connection to existing drainage at First Gate.

A condition was imposed on the permit stating that all trenches and building fabric interventions must be monitored by the consultant archaeologist and all areas repaired to the satisfaction of the Historic Buildings Officer of the Planning and Environment Committee.

13th September 2000 (Permit No. 642/H)

Temporary site works for restoration project until March 2004; change use of staff car park to builders compound; erect two site huts (storage area and Keep); erect goods and passenger hoist and bridge on west face of castle.

- (b) The Committee's Interim Policies for the Conservation of Historic Buildings, published in 1998, provide a framework for the consideration of proposals in relation to all historic buildings. The Committee also keeps abreast of the Policy Guidance prepared by English Heritage in relation to historic buildings and ancient monuments, even though such policies have no direct application within Jersey. In giving its support in principle in March 1999 to the Heritage Trust's proposals, the Committee endorsed the position already taken by the States in funding this project that Mont Orgueil should be repaired and the visitor facilities improved in order to make the site more accessible and easier to understand.

There are three specific policies included in the Committee's Interim Policies for the Conservation of Historic Buildings that are directly relevant here and are being applied to the works at Mont Orgueil. These are Policies HB12, HB13 and HB14 which are attached to these answers as an appendix.

Identify the sources of professional advice used by the Committee in considering applications.

In assessing any planning application, the Committee draws upon the advice its own officers, as well as on more specialist advice as circumstances dictate. For the vast majority of applications, an appropriate level of expertise is provided by officers within the Department. In relation to historic building work the Department has a specialist team that can deal adequately with the vast majority of applications relating to historic buildings and sites. On occasions, it is necessary to seek external advice where very specialist knowledge is required. A recent example of this was an invitation made to the Twentieth Century Society to advise on an application in relation to Les Lumières, St. Brelade, which is one of the most important buildings of its type in Europe. In terms of archaeological matters, the Department employs one officer with considerable experience of law and practice in relation to ancient monuments and archaeology in the United Kingdom, and a second officer with a degree in archaeology. This is considered sufficient to deal with the generalities of projects involving archaeological issues. Where a

greater level of expertise is needed in relation to specific cases, or fieldwork is required, then the Committee will seek to involve the Archaeology Section of the Société Jersiaise, or the Curator of Archaeology at the Heritage Trust, or appropriate archaeological consultants from the United Kingdom.

In relation to Mont Orgueil, three of the sources of expertise which the Committee would normally turn to for archaeological advice are already directly involved in the project. These are Dr. Warwick Rodwell, M.A., D.Phil., D.Litt., F.S.A., F.R.Hist.S., Consultant Advisor to the Heritage Trust, the Trust's own Curator of Archaeology, and the Chairman of the Archaeology Section of the Société Jersiaise. Two officers of the Historic Building Section are also directly involved on a day-to-day basis.

It is clear from the conclusions of the report by Philip Dixon and Jane Kennedy recently commissioned by the Heritage Trust that a detailed conservation plan for Mont Orgueil is needed before any further work is carried out. Revised management arrangements also need to be made in order to monitor works in progress. Given the considerable public interest in this project, and the conflict in expert opinion that is evident, the Committee has made arrangements to retain the services of an independent advisor to assist in assessing with further proposals from the Heritage Trust.

APPENDIX - Interim Policies for the Conservation of Historic Buildings 1998.

Interim Policy HB12 - there is a presumption in favour of the preservation of the fabric, internal structure, planned form, historic interiors and fittings, as well as the contribution to the townscape or countryside, of registered buildings that are designated as Sites of Special Interest; therefore permission will not normally be granted for the internal alteration of a building designated as a Site of Special Interest, or works to its exterior, if they would adversely effect its special interest or character.

Interim Policy HB13 - applications for alterations to designated buildings must contain sufficient information to demonstrate the impact of the proposed works on the special interest of the building. In granting permission, the Planning Department will seek to ensure that the loss or damage of historic fabric is minimised.

Interim Policy HB14 - applications to change the use of a designated building which provide insufficient information to assess the impact of consequential alterations to the fabric and appearance will be refused.”

Urban renewal funding - question and answer (Tape No. 632)

Deputy Robert Charles Duhamel of St. Saviour, asked Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, the following question -

“Would the President inform members of the following -

- (a) from the total £1.5 million (£500,000 annually) agreed by this Assembly as Urban Renewal capital funding for the years 1997, 1998 and 1999, the amount of that capital which was actually spent in each of those years under the following categories -
 - (i) each of the eleven Environmental, Protection and Improvement Areas (EPIA) for St. Helier as designated in the Island Plan;
 - (ii) the town centre/Centre Ville area;
 - (iii) other urban areas;
 - (iv) conferences, exhibitions and other services;
- (b) for the years 2000 and 2001, the value of Urban Renewal capital funds (A) expended and (B) allocated

to -

- (i) each of the eleven EPIA for St. Helier as designated in the Island Plan;
 - (ii) the town centre/Centre Ville area;
 - (iii) other urban areas;
 - (iv) conferences, exhibitions and other services;
- (c) for the years 2000 and 2001, the value of Urban Renewal capital funds (A) expended and (B) allocated to -
- (i) parks, play areas and tree planting schemes;
 - (ii) traffic management and pedestrian improvement schemes;
 - (iii) conferences, exhibitions and other services.”

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

“Much of the information sought by the Deputy is already in the public domain and is contained within the reports issued by the Urban Renewal Sub-Committee on an annual basis. The Deputy is also party to much of the information by virtue of his previous involvement with the sub-committee firstly as a Planning and Environment Committee member and latterly as a Public Services Committee member.

It should be noted that the categorisation of expenditure sought by Deputy Duhamel does not reflect the total amount of Urban Renewal expenditure in any one year, the attached schedules itemise the total expenditure for the years requested.

All the figures given here have been rounded to the nearest £500 and are correct as of November 2000.

SCHEDULE (a)

(i) EPIAs

	1996	1997	1998	1999
EPIAs				
EPIA5 (Oxford Road)		£63,000	£1,000	£0
EPIA3 (Clarendon Road and Robin Hood)		£0	£14,000	£0
EPIA1 (Parade Gardens)		£0	£24,500	£0
EPIA8 (Havre des Pas)		£2,500	£78,000	£0
NB: EPIA2 (Clairvale Road) spent pre-Urban Renewal 1995/96	£50,000			
Totals	£50,000	£65,500	£117,500	£0

(ii) Town centre/ Centre Ville Area

	1997	1998	1999
Town centre	£29,000	£71,000	£33,000

Projects undertaken during this time in the town centre, in partnership with other agencies include; Royal Square improvements, demolition of Snow Hill cable car building, various town murals and the support of *Centre Ville*.

(iii) Other urban areas

	1997	1998	1999
Other urban areas (Les Quennevais)	£500	£19,000	£0

(iv) Conferences, exhibitions and other services

	1997	1998	1999
Exhibitions/ conferences/ printing and publications	£5,000	£4,000	£3,500
Design services (consultant architect fees)	£22,500	£29,500	£10,500
Design briefs	£7,000	£0	£0
Totals	£34,500	£33,500	£14,000

Note:

The above does not represent all of the Urban Renewal expenditure in each of these years. Other expenditure, together with an indication of total spend for each of those years, follows -

Other spend	1997	1998	1999
Corridors and gateways (Victoria Avenue, First Tower Café)	£5,000	£1,000	£192,000
Tourist areas (Gorey)	£1,500	£0	£0
Play space (Caesarea and De Quetteville Court)	£0	£26,500	£2,000
Annual total spend from Urban Renewal Vote	£136,000	£269,000	£241,000

SCHEDULE (b)

(i) EPIAs

Money expended in 2000 relates to EPIA5.

Money allocated in 2000/01 relates only to EPIA8 (Havre des Pas) and is committed to schemes at Allix's Shipyard, Green Street pedestrian improvements and the acquisition and improvement of Promenade Gardens.

2000		2001	
(A) Expended	(B) Allocated	(A) Expended	(B) Allocated
£1,000	£50,000	£0	£94,000

(ii) Town centre/ Centre Ville area

Money expended in 2000 relates to schemes in Snow Hill (£4,000), Sand Street (£145,500), Bath Street (£53,500) and the support of Centre Ville (£23,000).

Money allocated in 2000/01 includes all ped. access schemes (see (c) (ii) below).

2000		2001	
(A) Expended	(B) Allocated	(A) Expended	(B) Allocated
£226,000	£745,000	£0	£748,000

(iii) Other urban areas

(Les Quennevais, contribution to proposed hard landscaping at St. Aubin and the provision of bus shelters in urban parishes).

2000		2001	
(A) Expended	(B) Allocated	(A) Expended	(B) Allocated
£20,000	£120,000	£0	£0

(iv) Conferences/ exhibitions/ other services

(Expenditure in 2000 relates to printing and publishing, consultant engineer and architect fees and public consultation processes.

2000		2001	
(A) Expended	(B) Allocated	(A) Expended	(B) Allocated
£123,500	£110,000	£0	£35,000

Note:

The above does not represent all of the Urban Renewal expenditure and allocations in each of these years. Other expenditure and allocations, together with an indication of totals for each of those years, follows -

	2000		2001	
	(A) Expended	(B) Allocated	(A) Expended	(B) Allocated
Town trees	£0	£30,000	£0	£0
Play space	£0	£41,500	£0	£50,000
Annual totals	£370,500	£1,096,500	£0	£927,000

SCHEDULE (c)

(i) Parks, play areas and tree planting schemes

Allocation for 2000 include play areas (£41,500), parks (Allix's shipyard @ £50,000 and St. Brelade Parish Hall frontage @ £58,000) and tree planting (£30,000).

Allocation for 2001 includes play areas (£50,000).

2000		2001	
(A) Expended	(B) Allocated	(A) Expended	(B) Allocated
£0	£179,000	£0	£50,000

(ii) Traffic management and pedestrian improvement schemes

Expenditure and allocation for 2000 includes implementation of schemes at Bath Street and Sand Street which are now nearing completion. It is also proposed to fund works related to hard landscaping at Mont Millais and at the Le Sueur Obelisk in Broad Street.

Money allocated in 2001 relates to several phases of work aimed at improving the pedestrian environment and managing traffic in a number of town centre streets including Union Street, Burrard Street, York Street, Hue Street, Broad Street, Conway Street and Charing Cross. Not all of this work will be undertaken in 2001 but the funds are committed to these phases of work which will progress sequentially, subject to necessary approvals being obtained.

2000		2001	
(A) Expended	(B) Allocated	(A) Expended	(B) Allocated
£226,000	£745,000	£0	£748,000

(iii) Conferences/ exhibitions/ other services

See (b) (iv) above

2000		2001	
(A) Expended	(B) Allocated	(A) Expended	(B) Allocated
£123,500	£110,000	£0	£35,000

Note:

The above does not represent all of the Urban Renewal expenditure and allocations in each of these years. Other expenditure and allocations, together with an indication of totals for each of those years, follows -

	2000		2001	
	(A) Expended	(B) Allocated	(A) Expended	(B) Allocated
EPIAs *Allocation for EPIA in 2000 relates to Allix's shipyard, including In 'parks' at (c) (i) above.	£1,000	*£50,000	£0	£94,000
Other urban areas	£20,000	£62,000	£0	£0
Annual totals	£370,500	£1,096,500	£0	£927,000

Automatic right of married women to have responsibility for the declaration and payment of their income tax - question and answer (Tape No. 632)

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

“Would the President advise members -

- (a) whether the Committee intends to introduce legislation affording married women the automatic right of being responsible for their own income tax, and if so, when this will occur?
- (b) will the Committee's current policy comply with the Human Rights (Jersey) Law 2000 when that Law comes into force?
- (c) how many married women to-date have applied to complete their own income tax form?"

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

- “(a) the Income Tax Department is carrying out a review of the Income Tax Law in the light of the impending Human Rights legislation. The department has already initiated correspondence with the Attorney General in order to get a clear understanding of the legal position.

Whatever the outcome, my Committee accepts the general proposition that the current system is anachronistic and will have to be addressed in the next few years. Nothing is proposed to be done immediately because there are two major obstacles -

- (i) the impact on some couples could be serious in terms of the extra tax they would have to pay. Independent assessment can only be justified if it provides privacy for each spouse as to his or her income. That rules out the transfer of allowances between spouses because that would reveal to the transferee the quantum of the transferor's income. That in turn means allowances will go to waste if one spouse's income is insufficient to take up the allowances.

Example -

A married couple whose only income is a £16,000 pension earned by the husband are currently exempt from tax. If each becomes entitled to the single person's exemption of £12,000, he will pay tax on £4,000 (£16,000 less £12,000) while her allowances will go to waste;

- (ii) separate returns and tax assessments for all married women would present the Income Tax

Department with demands that it could not meet, without a substantial increase in staff numbers, until -

- (a) the tax system is simplified; and
- (b) the benefits of its major IS/IT project are felt.

So the short answer to the question is yes, but as part of an overall income tax strategy to be published this year, which will set out my Committee's plans and priorities for the next five years.

- (b) My Committee's view is that the current legislation is probably not compatible with the Human Rights (Jersey) Law 2000 and is anyway outdated.
- (c) By way of background, I should explain to the House that the Income Tax Law places the responsibility for making tax returns, and paying the tax due, on the husband in the case of a married couple living together.

However, following a decision of the States in 1988 the Comptroller of Income Tax offers an informal arrangement whereby married couples may opt to make separate returns and receive separate tax bills. Fewer than 200 couples have taken up this option, the exact number not having been recorded."

Review of the Machinery of Government conducted under the chairmanship of Sir Cecil Clothier - statement

Senator Pierre François Horsfall, O.B.E., President of the Policy and Resources Committee, made a statement in the following terms -

"As every member is well aware, the report of the Review Panel on our Machinery of Government, chaired by Sir Cecil Clothier, was published yesterday. All members have received copies and the report is also being formally presented to the States today so that its publication and receipt is a matter of formal record. I should add too that every household in the Island will be receiving a summary copy over the next few days. Further copies of the summary, and the report itself, will be available at the States bookshop and on the States website.

The Committee's first task is to express sincere thanks to Sir Cecil Clothier and his whole team for the very great service they have done for Jersey in preparing their report. I am sure that this will be echoed by the whole Assembly. A very great deal of work has clearly gone into the report. It is important that the Committee also thanks all those in the Island - including many members of this Assembly - who made submissions or gave evidence to the Panel. Thanks are due equally to the 1,000 or more individuals who responded to the Panel's opinion survey and attended its public meeting. Sir Cecil has said that he is confident that the Panel have taken, as he puts it, the pulse of the Island and I certainly sense, from the reactions so far, that the weight of public opinion is very firmly behind changes of the kind envisaged in the report. This resonance with public opinion is profoundly important for the credibility of the report but it would not have been possible without the input of all the many witnesses and contributors who, together with those they may have represented, knew just how vital an exercise this was for the future of the Island.

This is not the moment for substantive comment on the contents of the report. It is enough to say at this point that its recommendations are far-reaching and of the utmost seriousness for Jersey as we contemplate all the challenges that lie ahead in the 21st century and seek to ensure Jersey's continued strength and prosperity in an uncertain, fast-changing world.

But I should say a word about how the Policy and Resources Committee considers that action on the report should be taken forward. The Committee intends to seek to invite the States to take a considered view in principle on the report by no later than Easter - that is, about three months from now. After an initial period of absorbing the report, we intend to hold a number of informal meetings with members and the public, before coming forward, probably around the beginning of March, with an appropriate report and proposition.

The Committee's report will set out how it envisages implementation moving forward, provided the States does, indeed, give its endorsement. Whatever the States precisely decides, the Committee's view is that work must proceed expeditiously with the intention that implementation can relate to, and follow, the next election at the end of 2002. It is clear that, if the report is accepted by the States, we must bring in the necessary changes at that point; otherwise we could be waiting for five years from now, until the election in 2005. I believe that would be quite unacceptable to the people of Jersey.

It is difficult to overstate the significance and importance of the Panel's report. An efficient, effective and fully democratic system of government, with good accountability, is absolutely crucial to whatever other policy objectives we may choose to set in coming years. Good, rigorous scrutiny of government policy is equally essential; and the report clearly sets the scene for this. Sir Cecil and his team have thrown down a challenge to us all, and the already very positive reaction to their report since yesterday leaves me in no doubt that it is the duty of this Assembly to rise to that challenge."

**Committee of Inquiry: Pioneer Coaches Ltd., Town 'Hoppa Bus' service - P.172/2000
P.172/2000: report - P.172/2000 Rpt.**

THE STATES commenced consideration of a proposition of Deputy R.G. Le Hérissier of St. Saviour, to appoint a Committee of Inquiry to investigate fully the circumstances surrounding the reduction in the subsidy granted to Pioneer Coaches Limited by the Public Services Committee to operate the 'Hoppa Bus' in July 2000, and, after discussion, adopted a proposition of Deputy Michael Edward Vibert of St. Brelade that the States move to the consideration of the next item on the Order Paper.

Members present voted as follows -

"Pour" (32)

Senators

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

Connétables

St. Martin, St. Ouen, Trinity, St. Lawrence, St. Mary, St. John.

Deputies

H. Baudains(C), St. Mary, Trinity, Routier(H), Layzell(B), Breckon(S), Grouville, Huet(H), Le Main(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L), St. Ouen, Fox(H), Martin(H).

"Contre" (12)

Connétables

St. Helier, St. Clement.

Deputies

St. Martin, St. John, G. Baudains(C), Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Le Hérissier(S), Ozouf(H).

THE STATES acceded to a request of Deputy Roy George Le Hérissier of St. Saviour that the proposition regarding the Committee of Inquiry be withdrawn.

**Housing Regulations: reduction in residence period - P.212/2000
P.212/2000: comments - P.212/2000 Com.**

THE STATES commenced consideration of a proposition of the Housing Committee concerning a reduction in residence period and adopted paragraph (a).

Members present voted as follows -

“Pour” (33)

Senators

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

Connétables

St. Martin, St. Ouen, St. Lawrence, St. Mary, St. John.

Deputies

H. Baudains(C), Trinity, Duhamel(S), Routier(H), Breckon(S), St. John, Le Main(H), St. Peter, Dubra (L), St. Ouen, Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Le Hérissier(S), Ozouf(H) Fox(H), Martin(H).

“Contre” (15)

Senators

Quérée, Syvret.

Connétables

St. Peter, Grouville, St. Helier, Trinity, St. Clement, St. Brelade.

Deputies

St. Mary, Layzell(B), Grouville, Huet(H), St. Martin, Crowcroft(H), Vibert(B),

One member abstained from voting.

Paragraph (b) was adopted.

Members present voted as follows -

“Pour” (31)

Senators

Horsfall, Stein, Bailhache, Norman, Walker, Kinnard, Le Sueur.

Connétables

St. Martin, St. Ouen, St. Lawrence, St. Mary, St. John.

Deputies

H. Baudains(C), Trinity, Duhamel(S), Routier(H), Breckon(S), St. Martin, St. John, Le Main(H) St. Peter, Dubras(L), Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Le Hérissier(S) Ozouf(H), Fox(H), Martin(H).

“Contre” (17)

Senators

Le Maistre, Quérée, Syvret, Le Claire.

Connétables

St. Peter, Grouville, St. Helier, Trinity, St. Clement, St. Brelade.

Deputies

St. Mary, Layzell(B), Grouville, Huet(H), Crowcroft(H), Vibert(B), St. Ouen.

One member abstained from voting.

THE STATES adopted a proposition of the Housing Committee, and -

- (a) agreed, in principle, that the Housing (General Provisions) (Jersey) Regulations 1970, as amended, should be amended in order to reduce the 20-year residence rule to nineteen years with immediate effect; and
- (b) agreed that further reductions in the required residence period should be made in stages, as soon as is practicable, until a fifteen-year residence requirement was reached.

Draft Housing (General Provisions) (Amendment No. 14) (Jersey) Regulations 200- P.213/2000

THE STATES, in pursuance of Articles 10 and 15 of the Housing (Jersey) Law 1949, as amended, made Regulations entitled the Housing (General Provisions) (Amendment No. 14) (Jersey) Regulations 2001.

Draft Disability Transport Allowance (Jersey) Regulations 200- P.222/2000

THE STATES, in pursuance of Articles 3, 13 and 15 of the Disability Transport Allowance (Jersey) Law 1997, as amended, made Regulations entitled the Disability Transport Allowance (Jersey) Regulations 2001.

Draft Finance (Jersey) Law 200- P.223/2000

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Finance (Jersey) Law 200-.

Draft Police Force (Amendment No. 8) (Jersey) Law 2000 (Appointed Day) Act 200- P.224/2000

THE STATES, in pursuance of Article 5 of the Police Force (Amendment No. 8) (Jersey) Law 2000, made an Act entitled the Police Force (Amendment No. 8) (Jersey) Law 2000 (Appointed Day) Act 2001.

Manual Workers' Joint Council: Employers' Side membership - 2001 - P.225/2000

THE STATES, adopting a proposition of the Human Resources Committee, and in accordance with their Act dated 9th November 1961 concerning the membership of the Manual Workers' Joint Council, approved the nomination of the six representatives of the States to serve as members of the Employers' Side of the Council, as follows -

Deputy David Leon Crespel of Trinity
Mr. Philip Roy Cabot, Connétable of Trinity
Senator Christopher Gerard Pellow Lakeman
Deputy Robin Charles Hacquoil of St. Peter

Mr. Graham Edward Jennings, Chief Executive, Health and Social Services Department
Dr. Clive Jerry Swinnerton, Chief Executive Officer, Public Services Department.

Draft Food Safety (Miscellaneous Provisions) (Jersey) Law 2000 (Appointed Day) Act 200- P.226/2000

THE STATES, in pursuance of Article 11 of the Food Safety (Miscellaneous Provisions) (Jersey) Law 2000, made an Act entitled the Food Safety (Miscellaneous Provisions) (Jersey) Law 2000 (Appointed Day) Act 2001.

Le Geyt Flats: refurbishment - Phases V and VI - P.227/2000

THE STATES, adopting a proposition of the Housing Committee -

- (a) approved drawings Nos. 2966/00/1- 13 inclusive, showing the fifth and sixth phases of the refurbishment of Le Geyt Flats, Le Geyt Road, St. Saviour;
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Grouville School extension and remodelling: Phase 2 - approval of drawings - P.228/2000

THE STATES, adopting a proposition of the Education Committee -

- (a) approved drawings Nos. 588:98:100, 101A, 102-104, 105B and 106A showing the proposed Phase 2 extension to and remodelling of Grouville School, Grouville;
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Jersey Child Care Trust: appointment of chairman - P.229/2000

THE STATES, adopting a proposition of the Education Committee, approved the appointment of Mr. Geoffrey Colin Powell O.B.E., as Chairman of the Jersey Child Care Trust for a term of three years with effect from 1st January 2001.

HSBC Republic Holdings (C.I.) Limited (Jersey) Law 2000 (Appointed Day) Act 200- P.230/2000

THE STATES, in pursuance of Article 8 of the HSBC Republic Holdings (C.I.) Limited (Jersey) Law 2000, made an Act entitled the HSBC Republic Holdings (C.I.) Limited (Jersey) Law 2000 (Appointed Day) Act 2001.

Sandybrook Hospital Site: transfer of administration - P.231/2000

THE STATES, adopting a proposition of the Health and Social Services Committee -

- (a) approved the transfer of administration of two parcels of land situated at the Sandybrook Hospital site, St. Peter (as shown on drawing No. 1725) from the Health and Social Services Committee to the Housing Committee;
- (b) authorised the Greffier of the States to sign the said drawing on behalf of the States.

Jersey Airport, St. Peter: Alpha taxiway financing - P. 2/2001

THE STATES, adopting a proposition of the Harbours and Airport Committee, for the purpose of financing the construction of the Alpha taxiway at Jersey Airport -

- (a) approved the granting of a lease (“The Head Lease”) by the public to the HSBC Bank International Ltd. (“HSBC”) for a period of 125 years of an area of land (measuring approximately 31,000 square metres) (“the site”) at Jersey Airport, the exact area of land to be agreed between the Committee and HSBC;
- (b) accepted from HSBC 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 5th December 2000;
- (c) authorised a scheme whereby the public would be entitled to purchase the Head Lease from HSBC, such entitlement to be exercisable 15 years after the start of the construction of the Alpha taxiway and its associated works;
- (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 HSBC 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.

The Deputy of St. John declared an interest and withdrew from the Chamber during this discussion.

THE STATES rose at 5.38 p.m.

C.M. NEWCOMBE

Greffier of the States.