

**THE STATES assembled on Tuesday,
3rd July 2001 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,
was present**

All members were present with the exception of -

Senator Stuart Syvret, out of the Island
Senator Christopher Gerard Pellow Lakeman - out of the Island
Alastair John Layzell, Deputy of St. Brelade - out of the Island
Imogen Stephanie Nicholls, Deputy of Grouville - out of the Island
Philip John Rondel, Deputy of St. John - out of the Island.

Prayers

Newly-elected Connétable of St. Peter

The Bailiff, on behalf of all members, welcomed to the States Mr. Thomas John du Feu, newly-elected Connétable of St. Peter.

Senator Le Claire - illness

The Bailiff, on behalf of all members, welcomed back Senator Paul Le Claire following his recent hospitalisation and subsequent absence from the States.

Subordinate legislation tabled

The following enactments were laid before the States, namely -

Diseases of Animals (Foot and Mouth - Restrictions No. 1B) (Jersey) Order 2001. R & O 100/2001.

Diseases of Animals (Foot and Mouth - Restrictions No. 8B) (Jersey) Order 2001. R & O 101/2001.

Employment of Children (General Provisions) (Revocation) (Jersey) Order 2001. R & O 102/2001.

Cottage Homes Committee - appointment of member

THE STATES appointed Deputy Jeremy Laurence Dorey of St. Helier as a member of the Cottage Homes Committee.

Matters presented

The following matters were presented to the States -

States Audit Commission Annual Report 2000.

Presented by the Finance and Economics Committee.

Manpower report for the period 1st January 2001 to 31st March 2001 - R.C.22/2001.

Presented by the Industries Committee.

Ecology Fund: report for 2000 - R.C.23/2001.

Presented by the Planning and Environment Committee.

Projet de Loi (200-) (Amendement No. 9) réglant la procédure criminelle (P.37/2001): report - addendum. - P.37/2001 Rpt.(2)

Presented by the Legislation Committee.

La Sirene Guest House, St. Helier: assessment of business losses - R.C.24/2001.

Presented by the Housing 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 25th June 2001 recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

- (a) as recommended by the Housing Committee, the lease to the Jersey Electricity Company Limited of electricity sub-station No. 48, Jardin des Carreaux, Queen's Road, St. Helier, for a period of 99 years, under the usual terms and conditions, with the sum of £99 being paid to the Committee upon commencement of the agreement, on the basis that all wayleaves associated with the sub-station would be granted free of charge, and with each party being responsible for its own legal costs arising from the transaction;
- (b) as recommended by the Housing Committee -
 - (i) the relocation of the Jersey Electricity Company Limited's electricity sub-station No. 9 to Les Cinq Chenes Housing Estate, Five Oaks, St. Saviour and the lease to the Jersey Electricity Company Limited of the site of the sub-station for a period of 99 years from the date of contract being passed before the Royal Court, with a one-off premium payment of £1,000 for the period of the lease;
 - (ii) in exchange for the occupancy of the abovementioned site by the Jersey New Waterworks Company Limited for the previous 11 years (in respect of an air vessel chamber due to be taken out of service within two or three years), the company would pay the sum of £100, on the basis that as part of its occupancy of the site the Jersey Electricity Company Limited had agreed with the Jersey New Waterworks Company Limited that the latter party's ability to maintain the present air vessel building would not be hindered and that the company would be given unrestricted access to it at all times;

with all parties being responsible for their own legal costs arising from the transaction;

- (c) as recommended by the Harbours and Airport Committee, the lease to the Jersey Rowing Club of the Old Lifeboat House (Letting No. S21- measuring 1,056 square feet), St. Helier Harbour, for a period of 21 years from 1st May 2001, at an annual rent of £1,859.74, subject to annual review on 1st May each year in line with the Jersey Retail Price Index, on the basis of standard terms and conditions;

- (d) as recommended by the Harbours and Airport Committee, the lease to Bontour Agencies Limited of office accommodation (Lettings Nos. A20 and A21- measuring 250 square feet and 400 square feet respectively) on the Albert Pier, St. Helier Harbour, for a further period of three years from 1st April 2001, at a combined annual rent of £4,658.50 (representing a rate of £6.97 and £7.29 a square foot respectively), subject to annual review in line with the Jersey Retail Price Index, on the same terms as before;
- (e) as recommended by the Harbours and Airport Committee, the lease to D.K. Collins Marine Limited of the engineering workshop (Letting No. S22- measuring 631 square feet), South Pier, St. Helier Harbour, for a further period of three years from 1st April 2001, at an annual rent of £4,625.33 (representing a rate of £7.33 a square foot), subject to annual review in line with the Jersey Retail Price Index, on the same terms as before;
- (f) as recommended by the Harbours and Airport Committee, the lease to the Department of Electronics, Jersey Airport of part of the Fort Regent Signal Station, St. Helier (Letting No. FR2), for a further period of 21 years from 1st January 2001, at an annual rent of £2,451.97, subject to annual review, on the basis of terms and conditions of a report, dated 29th March 2001, prepared by the Harbours Commercial Manager, with the lessee requiring the Committee's consent to erect, or alter, any additional masts, antennae or other external communications equipment and being prohibited from assigning any part of the site without the Committee's approval;
- (g) as recommended by the Housing Committee, the transfer to the public of roadways and footpaths within the Grasett Park Estate, St. Saviour, from the Parish of St. Saviour to the Housing Committee for the sum of £10, with the Committee being responsible for both parties' legal costs (those of the Parish being capped at an amount to be agreed between the Law Officers' Department and the Parish's legal representatives, Bois and Bois, Private and Corporate Lawyers), subject to the extinguishment of the roads by the Royal Court if proved to be necessary.

Matters lodged

The following matters were lodged "au Greffe" -

Draft Royal Bank of Canada (Jersey) Law 2000 (Appointed Day) Act 200- P.91/2001.

Presented by the Finance and Economics Committee.

States Audit Commission: appointment of Chairman - P.92/2001.

Presented by the Finance and Economics Committee.

Nos. 8, 12 and 12A Lemprière Street, St. Helier: proposed sale to CTJ Trust - P.93/2001.

Presented by the Housing Committee.

Lease of accommodation at Jersey Airport Freight Terminal to Hi-Speed Freight Limited - P.94/2001.

Presented by the Harbours and Airport Committee.

Langford Sports Centre, St. Saviour: approval of drawings - P.95/2001.

Presented by the Education Committee.

Field 764, St. Peter: purchase - P.96/2001.

Presented by the Harbours and Airport Committee.

Jersey Child Care Trust: Five Year Strategy (2002-2006) and the provision of funding - P.97/2001.

Presented by the Education Committee.

Draft Customary Law Amendment (Amendment) (Jersey) Law 200- P.98/2001.

Presented by the Legislation Committee.

Drury Lane, St. Helier: acquisition of roadway - P.99/2001.
Presented by the Planning and Environment Committee.

Adoption (Amendment No. 4) (Jersey) Law 1999 (Appointed Day) Act 200- P.99/2001.
Presented by the Health and Social Services Committee.

Projet de Loi (200-) (Amendement No. 2) sur les matières explosives- P.100/2001.
Présenté par le Comité de Législation.

50 La Colomberie and 1 Little Green Street, St. Helier: conditions of sale- P.102/2001.
Presented by the Public Services Committee.

Draft Telecommunications (Jersey) Law 200- P.103/2001.
Presented by the Industries Committee.

Arrangement of public business for the next meeting on 17th July 2001

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 17th July 2001 -

Draft Royal Bank of Canada (Jersey) Law 2000 (Appointed Day) Act 200- P.91/2001.
Lodged: 3rd July 2001.
Finance and Economics Committee.

States Audit Commission: appointment of Chairman - P.92/2001.
Lodged: 3rd July 2001.
Finance and Economics Committee.

Nos. 8, 12 and 12A Lemprière Street, St. Helier: proposed sale to CTJ Trust - P.93/2001.
Lodged: 3rd July 2001.
Housing Committee.

Lease of accommodation at Jersey Airport Freight Terminal to Hi-Speed Freight Limited - P.94/2001.
Lodged: 3rd July 2001.
Harbours and Airport Committee.

Langford Sports Centre, St. Saviour: approval of drawings - P.95/2001.
Lodged: 3rd July 2001.
Education Committee.

Field 764, St. Peter: - purchase.
Lodged: 3rd July 2001 - P.96/2001.
Harbours and Airport Committee.

Draft Customary Law Amendment (Amendment) (Jersey) Law 200- P.98/2001.
Lodged: 3rd July 2001.
Legislation Committee.

Drury Lane, St. Helier: acquisition of roadway - P.99/2001.
Lodged: 3rd July 2001.
Planning and Environment Committee.

Adoption (Amendment No. 4) (Jersey) Law 1999 - (Appointed Day) Act 200- P.100/2001.
Lodged: 3rd July 2001.

Health and Social Services Committee.

Projet de Loi (200-) (Amendement No. 2) sur les matières explosives- P.101/2001.
Logé: le 3 juillet 2001.
Comité de Législation.

50 La Colomberie and 1 Little Green Street, St. Helier: conditions of sale- P.102/2001.
Lodged: 3rd July 2001.
Public Services Committee.

Incorporation of Jersey Post and Jersey Telecoms: pension arrangements for new employees - P.204/2000

THE STATES granted leave to the Deputy of Trinity to withdraw the proposition on the Incorporation of Jersey Post and Jersey Telecoms: pension arrangements for new employees (P.204/2000 lodged "au Greffe" on 7th November 2000.

The recruitment of persons domiciled outside of the European Union - questions and answers (Tape No. 660)

Deputy Alan Simon Crowcroft of St. Helier asked Senator Wendy Kinnard, Vice-President of the Home Affairs Committee, in the absence of the President, the following questions -

- “1. In the President’s answers to questions on 19th June, 2001, concerning the Committee’s policy on the provision of work permits for the employment in Jersey of persons domiciled outside the European Union, he informed members that -

‘It is not necessary to recruit through a particular organization. Individual applications can be, and are, processed.’

However, the application for a work permit for a prospective Polish employee made by a local sports shop was recently refused because the application had not been made by the Jersey Farmers’ Union and the Jersey Hospitality Association. Would the Vice-President explain how the Committee reconciles its stated policy in respect of the issuing of work permits with this clear indication that the Committee has created and is maintaining a duopoly with regard to the recruitment of staff from outside the European Union?

2. In the Annual Report 2000 of the Immigration and Nationality Department (pp.6&7) it is stated that ‘Both the farming and hospitality industries have been encouraged by this department to channel their requests for work permits either through the Jersey Farmers’ Union or the Jersey Hospitality Association In addition, the partnerships forged by this department with the two representative bodies ... have resulted in the industries controlling their own recruitment with minimal interference from government.’
 - (a) Would the Vice-President confirm that applications for staff in sectors of the economy other than farming and hospitality are also accepted by the Committee?
 - (b) Notwithstanding the Committee’s clear preference for working with two particular local trade organizations, would the President confirm that applications for work permits for staff from outside the European Union will be dealt with on their merits, and that they need not come through the preferred channels?”

The Vice-President of the Home Affairs Committee replied as follows -

- “1. The application to which the Deputy refers was not rejected because it had not been made by either the

Jersey Farmers Union or the Jersey Hospitality Association. It is not the policy of the Home Affairs Committee at present to consider applications for unskilled labour outside of the tourism and agriculture industries. The person who presented the work permit application on behalf of the applicant withdrew when reminded of this. There has been no direct contact between the Immigration Department and the applicant.

- 2.(a) Applications for staff in other areas of the economy are accepted, but at present only for skilled staff.
- (b) There are clear advantages to using trade organisations. The experience of the last two years where considerable time and effort have been invested by the Jersey Hospitality Association and Jersey Farmers' Union bears this out. The Deputy knows that applications are dealt with on their merits and that they need not come through any body or group."

Consultation, and the Transport Strategy - question and answer (Tape No. 660)

Deputy Gerard Clifford Lemmens Baudains of St. Clement asked Deputy Alan Simon Crowcroft of St. Helier, President of the Public Services Committee the following question -

"Would the President advise members -

- (a) which bodies the Committee consults before reaching conclusions regarding extending pavements and altering traffic flows?
- (b) what progress the Committee has made on the Sustainable Transport Strategy, and when it will be coming to this Assembly with proposals for the implementation of the Transport Strategy (P.60/99) which was adopted by the States on 29th June 1999?
- (c) why the Committee has not brought a proposition to enable approval of the far-reaching changes being made to pavements and traffic flows by the Committee in conjunction with the Urban Renewal Sub-Committee, (of which the President is Chairman)?"

The President of the Public Services Committee replied as follows -

- (a) The recent amendments to the streetscape in St Helier have been undertaken by the Urban Renewal Sub Committee. Prior to consulting anyone, a proposed scheme is presented to both the Public Services Committee and the Planning and Environment Committee for approval, in principle. Once both Committees have given their consent, wider consultation is undertaken firstly involving the Parish of St. Helier Roads Committee, Centre Ville, the Fire Service, the Ambulance Service and Police. Subject to resolving any initial concerns from these bodies, residents and businesses within the scheme area will receive a mail-shot explaining the scheme and requesting their comments. On receipt of these views the proposals are reviewed and if necessary, amended and presented for public consultation usually involving a permanent display and an open 'on-street' surgery manned by officers.

Once all the views and comments from the public consultation have been received the proposed Final Scope of Works is presented to both the Public Services and Planning and Environment Committees for construction approval.

- (b) A number of the proposals in the Sustainable Island Transport Policy have been discussed at Committee and evidence gathered where possible. A financial appraisal has been carried out and submitted to the Finance and Economics Committee, draft parking and bus strategies are actively being prepared and walking and cycling strategies are in their early stages. The Committee will submit a report and proposition for States approval on each of these strategies when they have been finalised.
- (c) The Committee is implementing policies approved in the Island Plan, '2000 and Beyond' and the

Sustainable Island Transport Policy, detailed in the Committee's Strategic Plan and the Department's Business Plan both of which have been distributed to all States members. While major changes to policy would be brought to the States, I do not believe that the Committee is expected or required to submit a report and proposition on each scheme it plans to implement."

Urban Renewal Sub Committee - questions and answers (Tape No. 660)

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

- “1. Would the President -
 - (a) state whether the decisions of the Urban Renewal Sub-Committee are normally submitted to the full Committee for endorsement?
 - (b) advise members of the Sub-Committee's remit?
2. Would the President -
 - (a) confirm that the Urban Renewal Sub-Committee has £500,000 at its disposal per year?
 - (b) advise what major projects this money has been spent on in the last three years?
 - (c) state how the various projects are prioritised?
3. Would the President advise whether the Sub-Committee's work is limited to St. Helier, or whether it can operate in other parishes? If the answer is affirmative to the latter, would the President advise what percentage of the £500,000 has been spent in St. Helier in each of the last three years?
4. With regard to the road alterations involving Union Street, York Street, Charing Cross, the Parade, Dumaresq Street, Conway Street, New Cut and Broad Street, would the President -
 - (a) advise what benefits were anticipated from these alterations?
 - (b) advise members whether one of the main purposes of these alterations is to restrict the movement of cars into town?
 - (c) agree that the public have not been kept fully informed, and that the 'roadshow' type presentation to the public did not meet the aims of the 'Street Life Programme', issued by the Committee in conjunction with Public Services Committee, which states that 'At each stage, information will be published about the details of the plan, and members of the public will be kept fully informed'?
 - (d) would he agree that the traffic alterations in question have not been a success to date, and will he therefore revert the traffic flows to their original format?
5. In view of the chaos that has ensued as a result of traffic alterations in Union Street, York Street, etc., would the President agree that in future wider consultation is needed, involving more than just those living or working nearby, and therefore undertake to publish the current plans in full in the media? Would he also ensure that any future plans are similarly published, so that the public generally, and motorists in particular, have sufficient advance warning, not only to express their views, but also to enable them to understand what is happening?"

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

- “1. (a) The decisions of the Urban Renewal Sub Committee are subject to the ratification of the

Planning and Environment Committee;

- (b) the Sub Committee's remit was set by the States in 1995. The Policy and Resources Committee's Strategic Policy Review requested that the Planning and Environment Committee develop a programme of urban renewal.
2. (a) The Urban Renewal programme to date has received the following amounts from the States capital programme -

1996	£100,000
1997	£400,000
1998	£500,000
1999	£500,000
2000	£500,000
2001	£500,000;

- (b) A list of the projects is contained within the Urban Renewal Sub-Committee's Annual reports. This information was fully reported to the States on 19th January this year following questions raised by Deputy R.C. Duhamel and I refer the Deputy to the answers already given at that time.

Subsequently, the following projects have been approved and are in progress -

Parade/Union Street Traffic scheme, £134,000;
West's Centre Improvement, £118,950 contribution to the Parish of St. Helier;
new public park at Alix's Shipyard, £100,000 contribution to Vingtaine de la Ville;
new children's play space at La Collette and Convent Court, £50,000 contribution to Housing;

- (c) professional officers assess the feasibility of each project and a report is submitted to the Sub-Committee for its agreement. The Planning and Environment Committee will then be asked to approve the projects. All the projects accord with the States strategic objectives.

The Sub-Committee reviews its programme on a six monthly basis, which is then confirmed by the Planning and Environment Committee.

3. The Sub-Committee's remit extends to all built up areas in the Island. To date urban renewal has assisted the Parish of St. Helier, Centre Ville, Public Services, Housing, the Havre des Pas Working Group, Vingtaine de la Ville, and the Parish of St. Brelade. Its offer to assist the parishes of St. Saviour and St. Clement has not yet been taken up.

So far, approximately 90 per cent of the budget has been applied within the town of St. Helier.

Over the last three years the percentage spent in St. Helier has been 43 per cent, 45 per cent and 72 per cent.

- 4.(a) Cannon Street and Devonshire Place is a residential area, and the construction of 41 new flats in Cannon Street will increase the number of people living there. It is an area used by pedestrians of all ages wanting to shop, do business or to gain access to their homes. The level of traffic in the area has made all these things at best unpleasant, and at worst unsafe.

The anticipated benefits will be the improvement of the urban environment for those who live and work in the town. As the Street Life programme sets out, the aim is to make our town a safer and more attractive place for people who live and work by reducing unnecessary traffic, having wider pavements and making the streets easier to cross;

- (b) The main purpose of these alterations is not to restrict the movement of cars in the town, but to

complete the town traffic plan, which was approved by the States in the Island Plan of 1987. The draft revised Island Plan contains suggestions to further this work.

Members will be aware that the ring road around St. Helier is now completed with the purpose being to create routes so that traffic may avoid entering the town centre.

The completion of the ring road is only part of the approved traffic plan and, until now, drivers have had a choice of whether they use it or continue using an habitual short cut through the town centre. This has resulted in unnecessarily high traffic levels in the heart of the town, causing problems for pedestrians having to negotiate narrow, busy pavements, difficult crossings, air pollution and health issues.

Accordingly, the purpose of these alterations is not to restrict the movement of cars through the town, but to discourage unnecessary traffic from entering residential streets within the town centre.

- (c) I do not agree with any part of the Deputy's statement. The public have been kept fully informed. Apart from sending a full explanation of the proposals to 700 addresses in the area, officers of the Planning and Public Services Departments have had several meetings with businesses in the area and they held a two-day public 'surgery' in mid-March, canvassing the public's opinion and explaining the strategy. The Jersey Evening Post published an article on 5th March, in which the headline made it quite clear to the 25,000 island households served by the JEP what changes were planned. In addition to all this, a follow up feedback document was sent out before the traffic changes took place, explaining the results of the consultation process and what changes were about to happen.
- (d) I would not agree that the highway alterations have been unsuccessful. It is far too soon to measure the impact of the new scheme and the extent to which they have improved pedestrian accessibility and reduced pedestrian accidents. Preliminary indications received by the Committee suggest that the Street Life programme is a success.

The Deputy should accept that this is the first phase of the scheme, the widening of Union Street is not completed and further discussion will be taking place with the businesses on further improvements in the Dumaresq Street area.

- 5. The Planning and Environment Committee has an excellent record of consulting the public. As I have already stated, the public were kept informed about the proposed changes, why and when they would happen."

Teacher recruitment - question and answer (Tape No. 660)

Deputy Celia Joyce Scott-Warren of St. Saviour asked Senator Leonard Norman, President of the Education Committee, the following question -

- "1. Can the President give details of the number of vacancies for teachers in the public and private sector schools that have been advertised during 2000 and 2001 and would he give a breakdown for each year as follows -
 - (a) the number of applicants from the United Kingdom for teaching posts in Jersey in 2000 and 2001?
 - (b) the number in (a) who came to Jersey for interview?
 - (c) the number of those attending interviews in (b) who were offered posts?
 - (d) the number of those attending interviews in Jersey who have -

- (i) been offered posts who have accepted them?
- (ii) the number who declined an offer of employment?
- (e) the number of posts which include a subsidy for housing, for rental or purchase?
- (f) the annual housing subsidy to Education Committee employees in -
 - (i) 1996; 1997; 1998; 1999; 2000?
 - (ii) an estimate for 2001?"

The President of the Education Committee replied as follows -

“(a)-(d)

The information which I can provide is restricted to those schools and colleges which are within the administration of the Education Committee as the Department does not hold information on the Church and private schools.

The number of applicants from the United Kingdom for teaching posts, which were advertised nationally, in Jersey provided schools was 517 in 2000 and 423 so far in 2001.

Of these 155 came to Jersey for interview in the year 2000 and 142 to date in 2001.

Of these 52 were offered posts in 2000 and so far this year the number is 57.

Of these 41 accepted offers of appointment in 2000 and to date 45 have accepted offers of appointment this year.

Therefore, in 2000 11 declined offers of appointment and this year to date 12 have declined offers of appointment.

- (e) 60 teachers, all recruited from the United Kingdom, currently receive subsidies for rental. No teachers receive subsidies for the purchase of property.
- (f) housing subsidies made by the Education Committee are as follows -

(i) 1996	£142,800
1997	£209,400
1998	£258,700
1999	£244,700
2000	£264,600

 - (ii) Estimate for 2001 is £220,000.

Agricultural strategy- questions and answers (Tape No. 660)

Deputy Philip Francis Cyril Ozouf of St. Helier asked Senator Jean Amy Le Maistre, President of the Agriculture and Fisheries Committee, the following questions -

- “1. Would the President inform the Assembly on progress of completing the new agricultural strategy. Specifically when the Committee intends lodging and seeking a States debate and, if after the summer

recess, the reason for the delay?

2. Would the President inform the Assembly what the range of financial implications for the States are?
3. Would the President explain the latest position with regard to the status of the Growers Association including whether management and staff have been appointed and whether any public funds have been paid or promised to the Association?
4. Is the Committee intending to bring a proposition under the Agricultural Marketing (Jersey) Law 1953? If so, why?"

The President of the Agriculture and Fisheries Committee replied as follows -

- “1. In answering this question I wish to remind members that the work of developing a new strategy for the agriculture and fisheries industries began in October 2000, with the commissioning of an Industry Review. This was undertaken by the consultants Oxford Policy Management, who completed their report in February this year. Following its publication the Committee embarked on a consultation process which included, through written submissions and public meetings, the wider public as well as stakeholders in the various sectors of the industries. A framework for future Committee policies was then developed. This was summarised in a Consultation Paper issued in May. The outcome of this process is that the new Policy Report is now close to finalisation.

A meeting was held on 12th June 2001, involving the leaders of the industries, the Presidents and Vice Presidents of the Finance and Economics Committee and the Policy and Resources Committee, and senior officials from the departments, to discuss the main features of the proposed strategy. It was decided that it would be helpful to allow time for further discussions about a number of aspects of the strategy, prior to lodging the final report and proposition. The exact date of lodging will largely depend on these further discussions and it would be the intention of the Committee to seek a date for a States debate approximately one month after lodging.

2. Until such time as the Committee has had the opportunity to consider any questions and issues raised in the current meetings, I consider it premature to give indications of the financial implications.
3. In answering this question I wish to remind members that the Jersey Growers' Association came into existence on 19th December 2000, as a voluntary association of growers, following an earlier thorough consultation process with all interested parties. An interim constitution for the Association was approved by growers at that point. At an earlier stage there had been an overwhelming vote, in a ballot organised by the Policy and Resources Statistics Department, in favour of establishing an Association under the Agricultural Marketing (Jersey) Law 1953, as amended. Early in 2001 a Management Board was established, comprising 6 elected grower Directors and three Directors appointed by the Committee.

The six elected growers are -

Mr. John Le Maistre - Chairman
Mr. Michael Cotillard - Vice Chairman
Mr. Adrian de Gruchy
Mr. Glen Hamel
Mr. Mike Labey
Mr. Paul Le Bihan.

The three appointed Directors are -

Brigadier Bruce Willing
Mr. Colin Perchard
Mr. Dewi Rees.

An Executive Committee was also established to manage the Association's affairs. In April 2001 the Association appointed a Senior Executive, to undertake the day-to-day work of the Association. The main task of the Association currently is to develop a Scheme under the Agricultural Marketing Law, a task which I understand is now nearing completion.

Concerning funding for the Association, the Committee decided to allocate from the Budget approved by the States in December the sum identified as Market Development Strategy (£162,400) to support the Association during 2001. No funds have been paid to the Association, but expenditure has been made on its behalf by the Committee. The funding allocated for 2001 will cover the Association's operating costs, development of the Scheme and the costs of an important study of future market opportunities for Jersey Royals, which has recently begun.

4. This will depend on the industry. If the industry, by a sufficient majority, wishes to organise and regulate itself in order to better safeguard its future, by addressing such issues as potential overproduction, improving quality standards and ensuring effective marketing, and requests the Committee to bring the matter to the States, then I am sure that the Committee will do so.

I would add that the 1953 Law, which has subsequently been amended in 1956, 1961, 1991 and 1999, is similar in scope to laws that exist in other countries in Western Europe and elsewhere. The purpose of these laws is, in broad terms, to enable agricultural industries to achieve orderly marketing of their products."

Timetable for allocating housing units at the former Woodville Hotel site - question and answer (Tape No. 660)

Deputy Philip Francis Cyril Ozouf of St. Helier asked Deputy Terence John Le Main of St. Helier, President of the Housing Committee, the following question -

"Would the President inform the Assembly of the timetable for allocating the housing units at the former Woodville Hotel site, including setting the price, date offers are to be made, date offers need to be accepted, dates for physical completion, and dates for the passing of contracts?"

The President of the Housing Committee replied as follows -

"The Woodville housing development has a completion date of 31st October 2001 but it is anticipated that, subject to continuing good progress, hand-over may be possible by the beginning of September 2001. The Committee will be considering the price range for the flats at its next meeting on 6th July 2001 and will relay its decision to the Finance and Economics Committee for final approval.

Once the price range has been agreed inquiries will be made to establish the interest of those first-time buyers on the waiting list who are eligible to be considered for the 55 two-bedroom and four one-bedroom flats. Final offers and acceptances can only be made once the dwellings are fully accessible and no contracts of sale can be passed until the development has been certified as complete."

Proposition concerning the introduction of Work Permits (P.107/2000) - Policy and Resources Committee (Tape No. 660)

Senator Paul Vincent Francis Le Claire asked Senator Pierre François Horsfall, President of the Policy and Resources Committee, the following question -

"Would the President inform the Assembly -

- (a) what progress has been made in preparing a report on the proposition concerning the Introduction of

Work Permits (P.107/2000) which was referred to the Committee on 11th July 2000?

(b) when the Committee expects to present the report to the States?"

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

"I regret I have overlooked the fact that a specific report on the Senator's report and proposition is still required. The question of work permits was of course referred to in the Committee's 1999 Report on Population Policy and again in its interim report to the States last month on the same subject. The Committee is also aware of the answer given to the Senator on 30th January 2001 by the President of the Industries Committee on the same subject, which repeated the fundamental point that work permits are for dealing with local unemployment, not the shortage of labour currently facing the Island. This said, I am happy to undertake to provide a report on the subject shortly in response to the Senator's report and proposition."

Proposition concerning the introduction of Work Permits (P.107/2000) - Industries Committee (Tape No. 660)

Senator Paul Vincent Francis Le Claire asked Deputy Maurice François Dubras of St. Lawrence, President of the Industries Committee, the following question -

"Would the President inform the Assembly -

(a) what progress has been made in preparing a report on the proposition concerning the Introduction of Work Permits (P.107/2000) which was referred to the Committee on 11th July 2000?

(b) when the Committee expects to present the report to the States?"

The President of the Industries Committee replied as follows -

"As I made clear in my answer to the Senator's similar question on this subject on 30th January, the Industries Committee has considered the question of work permits as part of its ongoing review of the workings of the Regulation of Undertakings Law. The Committee's latest position on this review is as set out in the Policy and Resources Committee's recent Interim Report on Population Policy. In my previous answer I recalled and expressed full agreement with the considered view of the Policy and Resources Committee in 1999 that the purpose of work permits is essentially to protect the employment of local people when there is unemployment. They are inappropriate when, as is currently the case, there are clearly insufficient people to fill the jobs available. The Committee is continuing its review of the Regulations of Undertakings Law and will be seeking to submit proposals arising from it alongside the Policy and Resources Committee's eventual recommendations on population which it has said it will bring forward by the end of this year, and the Committee will no doubt need to comment further on the work permit question then."

Jersey Economic Forum - question and answer (Tape No. 660)

Deputy Michael Edward Vibert of St. Brelade asked Deputy Maurice François Dubras of St. Lawrence, President of the Industries Committee, the following question -

"Would the President -

(a) advise members of the terms of reference of the Jersey Economic Forum?

(b) give details of its membership, the criteria for membership and how its members were selected?

(c) explain why States members are generally not informed of, or invited to attend, meetings of the Jersey Economic Forum?"

The President of the Industries Committee replied as follows -

- “(a) The role of the Forum was agreed at its first meeting on 19th April 2000. It is to bring together key representative stakeholders with members and officers of the Industries Committee. It meets three or four times per year to consider key issues affecting Jersey’s economy and, in particular, cross-cutting issues that affect all sectors of the business community. The Forum offers views, advice and recommendations, as appropriate, to the Committee.
- (b) Some 26 representative organisations concerned with, and interested in, different sectors and aspects of the Island’s economy are currently invited to nominate representatives to attend the Forum. This list is not static and I am in fact currently in discussion with two other groups which are keen to participate. Standing invitations are also issued to the Presidents of the Policy and Resources, Finance and Economics, Agriculture and Fisheries, and Tourism Committees. All States members were specially invited to the fourth meeting last December to hear a presentation by OXERA.
- (c) States members are kept fully informed of the Forum’s discussions and have been so from the start. So far there have been six meetings. Notes of these are circulated to all members, together with notice of future topics for discussion. The purpose of the Forum is to help the Committee to do its job and create a means for views from a wide variety of sources to be fed in so that the Committee is well-informed. In considering who should be involved, at the outset the Committee felt that it would be sensible to limit attendance generally, for practical reasons. Normally this means the President or Chairman of each body. In addition, as I have already mentioned, we have included four Committee Presidents. This reflects the main purpose which is dialogue between the Committee and stakeholders, and among stakeholders themselves.”

Recently published ‘Population Policy: interim report’ - questions and answers (Tape No. 660)

Deputy Michael Edward Vibert of St. Brelade, asked Senator Pierre François Horsfall, President of the Policy and Resources Committee, the following questions -

- “1. In the Conclusion of the Policy and Resources Committee’s recently published Population Policy: Interim Report (R.C.21/2001) paragraph 54 states ‘The one insight that perhaps can be said to have emerged from all this so far, and of which the Committee is particularly mindful, is that it is as easy - if not easier - to contemplate a medium-term scenario for Jersey of a falling population as much as a significantly rising one. There is no particular evidence of the latter, but a fair number of signs and pressures at least pointing towards the possibility of the former.’

In the light of the fact that Jersey’s population has risen constantly over the past five decades, and in the Committee’s own report (paragraph 17) it is estimated to have risen by 2,450 in the past four years alone, could the President justify the quoted statement in paragraph 54. In particular, could the President explain why the constantly rising population figure is not ‘particular evidence’ of a rising population and detail and explain what are the ‘fair number of signs and pressures’ which are said to be pointing to a falling population?

2. Will the President confirm the existing States’ policy of ‘a permanent resident population the same or less than the current level’ as first agreed by the States in ‘2000 and Beyond’ when the population was around 85,000, and re-affirmed in the Strategic Policy Review of 1997, is still being pursued by his Committee?”

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

- “1. The whole Interim Report is based on looking very carefully at the data that we have. The key information that lies behind the paragraph to which the Deputy refers is the employment data published quarterly by the Industries Committee.

The last quarterly report published on 3rd April showed that employment numbers in Jersey undertakings were static. I understand that this remains the position from the latest data being published today and I also understand that it is borne out by the Employment and Social Security Department's latest data on the number of social security contributions being paid. In the quarter ending December 2000 employment in private sector businesses in which two or more persons were engaged was 42,680. This is just about identical to the figure in the quarter ending December 1997 - 42,620 - which is when the States current population objective was agreed. It is considerably below the peak in December 1998 when the figure had risen to 43,500. The March 2001 data being published today similarly shows a significant fall, of over 1,000, from the March 1999 peak.

The whole focus of our attempt over the years to tackle the population issue has been to concentrate on the number of jobs in the Island as the best means we have for seeking to influence total numbers. The data makes it absolutely clear that there is currently no upwards growth at all. The trend if anything is the other way. This is supported by other pressures of which we are all well aware, notably the lack of housing in the Island which is driving away those we can ill afford to lose and also dissuading others to return to the Island after completing their education. Another factor worthy of mention is the fact that there does appear to be a small decline in the birth rate taking place, with births in 2000 being 3.5 per cent below the annual average for the ten preceding years and below 1,000 for the first time in 15 years.

The Interim Report sets out some of the signs and pressures that are evident and in my opinion correctly intimates that the States must consider all possible options and scenarios including the possibility of a static or even falling population rather than just assuming that the population of Jersey will rise come what may.

2. Yes.”

Bus strategy - statement

The President of the Public Services Committee made a statement in the following terms -

“In view of recent comments made in the media by the Transport and General Workers' Union (TGWU) in relation to the Public Services Committee's proposal to introduce competitive tendering for public bus services I wish to clarify the current position.

In the Statement I made on 22nd May this year I updated members on the progress to that date on the development of the Bus Strategy. That statement referred to the proposal to 'seek bids on a competitive basis for the operation of the Island's public bus services'.

Jersey Bus will be able to tender for the contract, if it wishes to do so, and, subject to States' approval of the strategy, the proposed contract period will be for seven years. Implementation of the strategy will allow for greater private investment in buses and will require increased public subsidy if service levels are to rise in accordance with the States' approved Sustainable Transport Policy.

Whichever company operates buses, it is highly likely that there will be more work for staff, not less. In addition, the implementation of a long-term quality partnership for the provision of a better bus service in Jersey will lead to a much higher level of job security for employees in this sector than has existed before.

The Committee is aware of the risk that Jersey Bus may make further cuts in services in their winter timetable unless States' subsidy is provided. The Public Services Committee has always been willing to talk to Jersey Bus about subsidies, but States members will recall that inspection of the Company's accounts prior to the cuts in the summer timetable revealed that value for money would not be assured if the subsidies demanded by Jersey Bus were paid. The Committee is willing to meet with Jersey Bus in respect of the winter timetable at any time, and arrangements are currently being made for such a meeting. The Committee will do all it can to ensure that adequate bus services are provided in the coming months.

The bus strategy will be lodged within the next two weeks, and it is hoped that it can be debated before the summer recess to enable work to proceed on the tendering exercise.

A meeting is also being arranged with the TGWU so that they are aware of the proposals.”

Change in Presidency

The Bailiff retired from the Chamber prior to the consideration of the proposition of Deputy Roy George Le Hérissier of St. Saviour concerning the Committee of Inquiry: procedures for recruitment of Honorary Police Officers and the Greffier of the States, Miss Catherine Mary Newcombe, assumed the presidency.

Committee of Inquiry: procedures for recruitment of Honorary Police Officers - P.67/2001 Comments P.67/2001 Com.; Report - P.67/2001 Rpt.

THE STATES, adopting a proposition of Deputy Roy George Le Hérissier of St. Saviour, and in accordance with Article 36B of the States of Jersey Law 1966, as amended, approved the appointment of a Committee of Inquiry to investigate fully -

- (a) the circumstances through which Mr. Roger Holland was elected and remained a member of the Honorary Police of St. Helier;
- (b) the current procedures that are in place for the election of persons as members of the Honorary Police;

and to report back to the States with such recommendations as the Committee considers to be appropriate.

Members present voted as follows -

“Pour” (25)

Senators

Horsfall, Stein, Bailhache, Kinnard, Le Claire.

Connétables

St. Helier, Trinity, St. John, St. Peter.

Deputies

H. Baudains(C), S. Baudains(H), Duhamel(S), Huet(H), St. Martin, Le Main(H), Crowcroft(H), St. Pete
G. Baudains(C), Troy(B), Scott Warren(S), Le Hérissier(S), Ozouf(H), Fox(H), Bridge(H), Martin(H).

“Contre” (20)

Senators

Le Maistre, Norman, Walker.

Connétables

Grouville, St. Martin, St. Ouen, St. Saviour, St. Clement, St. Brelade, St. Lawrence, St. Mary.

Deputies

St. Mary, Trinity, Routier(H), Breckon(S), Vibert(B), Dubras(L), St. Ouen, Voisin(L), Farnham(S).

Draft Costs in Criminal Cases (Witnesses' Allowances) (Jersey) Regulations 200- P.78/2001

THE STATES, in pursuance of Article 6 of the Costs in Criminal Cases (Jersey) Law 1961, as amended, made Regulations entitled the Costs in Criminal Cases (Witnesses' Allowances) (Jersey) Regulations 200-.

Change in Presidency

The Bailiff returned to the Chamber during consideration of the preamble to the draft Costs in Criminal Cases (Witnesses' Allowances) (Jersey) Regulations 200- and the meeting continued under his presidency.

States Auditors - further extension of contract - P.77/2001

The Bailiff, in accordance with Article 11(5) of the Public Finances (Administration) (Jersey) Law 1967, as amended, and Standing Order 46(2), ordered the withdrawal of strangers and the closing of the doors of the Chamber in order that the appointment of the States Auditors be debated in camera.

THE STATES having deliberated thereon in camera, proceeded to vote in public assembly and adopting a proposition of the Finance and Economics Committee approved the further extension of PricewaterhouseCoopers' contract as States Auditor for the period ending 30th April 2003 to cover the audit of the 2001 and 2002 States of Jersey accounts.

Jersey Financial Services Commission: appointment of Commissioner - P.81/2001

The Bailiff, in accordance with Article 3(1A) of the Financial Services Commission (Jersey) Law 1998, as amended, and Standing Order 46(2), ordered the withdrawal of strangers and the closing of the doors of the Chamber in order that the appointment of a Commissioner of the Financial Services Commission be debated in camera.

THE STATES having deliberated thereon in camera, proceeded to vote in public assembly and adopting a proposition of the Finance and Economics Committee, and in accordance of Article 3(1A) of the Financial Services Commission (Jersey) Law 1998, as amended, appointed Dr. Frederik C. Musch as a Commissioner of the Jersey Financial Services Commission with effect from 1st July 2001 until 31st May 2004.

Draft Powers of Arrest (Injunctions) (Amendment) (Jersey) Law 200- P.88/2001

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

Hautlieu School: approval of drawings - P.83/2001 Comments - P.83/2001 Com.

THE STATES commenced consideration of a proposition of the Education Committee concerning Hautlieu School: approval of drawings. After discussion Senator Frank Harrison Walker, President of the Finance and Economics Committee, proposed that the proposition be referred back to the Education Committee, which proposition was adopted.

Members present voted as follows -

“Pour” (28)

Senators

Horsfall, Le Maistre, Walker, Kinnard, Le Sueur, Le Claire.

Connétables

Grouville, St. Helier, St. Martin, St. Saviour, St. Brelade, St. Mary, St. John, St. Peter.

Deputies

H. Baudains(C), St. Mary, Routier(H), Le Main(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L)
St. Ouen, G. Baudains(C), Voisin(L), Ozouf(H), Bridge(H), Martin(H).

“Contre” (18)

Senators

Stein, Quérée, Bailhache, Norman.

Connétables

Trinity, St. Lawrence.

Deputies

S. Baudains(H), Trinity, Duhamel(S), Breckon(S), Huet(H), St. Martin, Dorey(H), Troy(B), Scott Warrer
(S), Farnham(S), Le Hérissier(S), Fox(H).

Change in Presidency

The Bailiff retired from the Chamber during consideration of the proposition of Senator Frank Harrison Walker that the proposition concerning Hautlieu School, approval of drawings, be referred back to the Education Committee and the meeting continued under the presidency of the Greffier of the States, Miss Catherine Mary Newcombe.

Matters lodged

The following matters were lodged au Greffe -

Bus strategy - P.104/2001.

Presented by the Public Services Committee and referred to the Finance and Economics Committee.

Draft Motor Traffic (No. 7) (Jersey) Regulations 200- - P.105/2001.

Presented by the Public Services Committee.

Arrangement of public business for the next meeting on 17th July 2001

THE STATES then adjourned, having agreed to consider the following items of public business set down for the present meeting as the first items of public business on 17th July 2001 -

Draft Companies (Amendment No. 6 (Jersey) Law 200- -P.84/2001 (re-issue).

Lodged: 29th May 2001.

Finance and Economics Committee.

Appointments made by the States: review of procedures - P.85/2001.

Lodged: 5th June 2001.

Deputy R.G. Le Hérisier of St. Saviour.

Field 1418, St. Saviour, Trinity: development in the Green Zone - P.86/2001.

Lodged: 5th June 2001.

Planning and Environment Committee.

THE STATES rose at 5.42 p.m.

C.M. NEWCOMBE

Greffier of the States.