

**THE STATES assembled on Tuesday,
16th July 2002 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 -

David Leon Crespel, Deputy of Trinity - out of the Island
Imogen Stephanie Nicholls, Deputy of Grouville - out of the Island
Maurice François Dubras, Deputy of St. Lawrence- out of the Island

Prayers

Subordinate legislation tabled

The following enactment was laid before the States, namely -

Motor Traffic (Cabs - Fares and Charges) (Jersey) Order 2002. R & O 61/2002.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 8th July 2002 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 Harbours and Airport Committee, the renewal of the lease to Channel Islands Marine Limited of the granite buildings opposite the St. Helier Marina (known as Harbour Letting N12A), for a period of nine years from 1st April 2002, at an annual rent of £15,716 with three-yearly reviews against the open market value or the Jersey Retail Price Index, whichever were to be the higher. Internal repairs were to be the responsibility of the Lessee and each party was to be responsible for its own legal fees arising from this transaction;
- (b) as recommended by the Health and Social Services Committee, the renewal of the lease for a further five years for Fields 656, 656a, 661, 661a and 653 at Les Bourgeons Farm, Les Petites Rues, St. Lawrence, from Mr. Peter John Le Feuvre, for the period 1st January 2002 to 31st December 2006 at a commencing annual rental of £7,000 in advance, which would increase at the third anniversary in line with the Jersey Retail Price Index. There was an option to renew the lease for a further five years on the same terms and conditions;
- (c) as recommended by the Harbours and Airport Committee, a deed of arrangement between the public and Channel Islands Marine Properties Limited, in order to amend the existing lease for Harbour Letting B3, to allow for hypothecation in favour of Barclays Bank. The lease was deemed to have commenced on 8th October 1999, for a period of 21 years, to Channel Island Marine Properties Limited for 6,563 square feet of land at La Collette boat maintenance park, for the purpose of constructing a self-funded marine servicing workshop at an annual rent of £9,844.50 (representing £1.50 per square foot) with all same terms and conditions as stated previously.

Arrangement of public business for the next meeting on 23rd July 2002

THE STATES agreed to defer consideration of the proposition regarding the Abattoir, La Collette, St. Helier transfer of administration (P.109/2002 lodged "au Greffe" on 25th June 2002) from the present meeting to a later date.

THE STATES rejected a proposition of Deputy Harry Hallelwell Baudains of St. Clement that the Agriculture and Fisheries: policy report 2001 (P.115/2002) be not considered on 23rd July 2002.

Members present voted as follows -

"Pour" (22)

Senators

Horsfall, Stein, Qu  r  e, Norman, Walker.

Conn  tables

St. Brelade, St. Lawrence, St. Mary, St. John, St. Clement.

Deputies

H. Baudains(C), St. Mary, S. Baudains(H), Layzell(B), Breckon(S), Huet(H), St. John, Vibert(I)
G. Baudains(C), Dorey(H), Farnham(S), Ozouf(H).

"Contre" (25)

Senators

Le Maistre, Bailhache, Syvret, Kinnard, LeSueur, Le Claire.

Conn  tables

Grouville, St. Martin, St. Ouen, Trinity, St. Saviour, St. Peter.

Deputies

Duhamel(S), Routier(H), St. Martin, Le Main(H), St. Peter, St. Ouen, Troy(B), Voisin(I)
Scott Warren(S), Le H  rissier(S), Fox(H), Martin(H), Southern(H).

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 23rd July 2002 -

Machinery of Government: proposed departmental structure and transitional arrangements - P.70/2002.
Lodged: 14th May 2002.
Policy and Resources Committee.

Machinery of Government: proposed departmental structure and transitional arrangements (P.70/2002) -
comments - P.70/2002. Com.
Presented: 11th June 2002.
Human Resources Committee.

Machinery of Government: proposed departmental structure and transitional arrangements (P.70/2002) -
amendment - P.70/2002. Amd.
Lodged: 28th May 2002.
Deputy G.C.L. Baudains of St. Clement.

Machinery of Government: Proposed Departmental Structure and Transitional Arrangements (P.70/2002):
Amendment (P.70/2002 Amd.) - comments - P.70/2002 Amd. Com.
Presented: 9th July 2002.
Policy and Resources Committee.

Machinery of Government: proposed departmental structure and transitional arrangements (P.70/2002) -

second amendments - P.70/2002. Amd.(2).

Lodged: 2nd July 2002.

Policy and Resources Committee.

Machinery of Government: proposed departmental structure and transitional arrangements (P.70/2002): third amendment - P.70/2002 Amd.(3).

Lodged: 9th July 2002.

Policy and Resources Committee.

Projet d'Acte (200-) mettant en vigueur la Loi (2001) (Amendement No. 8) réglant la procédure criminelle - P.112/2002.

Logé au Greffe le 2 juillet 2002.

Comité de Législation.

Projet de Loi (200-) (Amendement No. 9) réglant la procédure criminelle- P.113/2002.

Logé au Greffe le 2 juillet 2002.

Comité de Législation.

Draft Magistrate's Court (Miscellaneous Provisions) (Amendment No. 9) (Jersey) Law 200 P.114/2002.

Lodged: 2nd July 2002.

Legislation Committee.

Agriculture and Fisheries: policy report 2001.

Lodged: 2nd July 2002 and referred to the Policy and Resources and Finance and Economics Committees.

Agriculture and Fisheries Committee.

Public Lotteries Board: appointment of member - P.116/2002.

Lodged: 2nd July 2002.

Gambling Control Committee.

Appointments Commission: appointment of Chairman and Members - P.117/2002.

Lodged: 9th July 2002.

Policy and Resources Committee.

Public Employees Contributory Retirement Scheme: Committee of Management - appointment of chairman - P.118/2002.

Lodged: 9th July 2002.

Finance and Economics Committee.

Farewell Wing, former J.C.G., St. Helier: approval of drawings- P.119/2002.

Lodged: 9th July 2002.

Education Committee.

St. Helier Street Life Programme P.120/2002.

Lodged: 9th July 2002.

Planning and Environment Committee.

Draft Companies (Amendment No. 6) (Jersey) Law 2002 (Appointed Day) Act 200 P.121/2002.

Lodged: 9th July 2002.

Finance and Economics Committee.

Draft Companies (Redemption, and Financial Assistance) (Jersey) Regulations 200- P.122/2002.

Lodged: 9th July 2002.

Finance and Economics Committee.

Draft Limited Liability Companies (Registration Fees) (No. 4) (Jersey) Regulations 200 P.123/2002.

Lodged: 9th July 2002.

Finance and Economics Committee.

Draft Limited Liability Companies (Registration Fees) (Repeal) (Jersey) Law 200- P.84/2002.
Lodged: 21st May 2002.
Finance and Economics Committee.

Width of buses and the school bus service - questions and answers (Tape No. 759)

Deputy Roy George Le Hérissier of St. Saviour, asked the Deputy of St. Peter, President of the Public Services Committee, the following questions -

- “1. Can the President advise members -
 - (a) whether the Committee has made enquiries of the Guernsey authorities regarding the width of buses to be employed on that Island’s roads, and if so, could he confirm whether those buses would also meet Jersey’s width restrictions?
 - (b) in the event that it is possible to obtain buses which meet the Island’s width restrictions, why it has been necessary to grant Connex an exemption from the width restrictions?
2. Would the President identify any losses made by the School Bus Service in the last three financial years?”

The President of the Public Services Committee replied as follows -

- “1.
 - (a & b) Contact with the Guernsey authorities has confirmed that the buses being procured by that authority are virtually identical in size to those buses that Connex will be operating in Jersey.
2. Assuming that by ‘losses’ the Deputy is alluding to the net cost to the States of operating the school bus service, the net costs in the past three years have been:-

1999	£1,011,099
2000	£1,189,206
2001	£1,430,922

Draft Sea Fisheries (Amendment) (Jersey) Law 200- P.95/2002, Comments - (P.95/2002) - P.95/2002 Com., Comments (2)- P.95/2002 Com.(2)

THE STATES commenced consideration of the draft Sea Fisheries (Amendment) (Jersey) Law 200- and adopted the Preamble.

Articles 1 to 6 were adopted.

Members present voted as follows on Article 6 -

“Pour” (27)

Senators

Horsfall, Le Maistre, Stein, Quéérée, Syvret, Kinnard, Le Sueur.

Connétables

Grouville, St. Martin, St. Ouen, St. Saviour, St. Brelade, St. Lawrence, St. John, St. P St. Clement, St. Helier.

Deputies

H. Baudains(C), S. Baudains(H), Breckon(S), St. Martin, Le Main, Dorey(H), Troy, Scott Warr

Le Hérisser(S), Fox(H).

“Contre” (1)

Deputy

St. John.

Articles 7 to 22 were adopted.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Sea Fisheries (Amendment) (Jersey) Law 2002.

Housing Committee Strategic Policy Report 2002 - 2006 - P.2/2002, Comments - P.2/2002 Com., Com (2), Amendment - P.2/2002 Amd., Amendment (P.2/2002 Amd.) comments P.2/2002 Amd.Com. second amendment - (P.2/2002 Amd.(2), second amendment (P.2002 Amd.(2))P.2/2002 Amd.(2) Com Amd.(2) Com.(2)

THE STATES commenced consideration of a proposition regarding the Housing Committee Strategic Policy Report 2002-2006.

THE STATES adopted an amendment of Deputy Judith Ann Martin of St. Helier that in paragraph 1, after sub-paragraph (f) a new sub-paragraph (g) should be inserted -

- (g) agreed that, prior to any sale or transfer of social rented housing to a Housing Trust or Association or similar body, there shall be a formal consultation process, to include a ballot (or another appropriate method) to establish whether tenants are in favour of such sale or transfer;

and that the remaining sub-paragraphs be re-numbered accordingly.

THE STATES having rejected a proposition of Deputy Terence John Le Main of St. Helier to waive Standing Order 44(1) to enable members who had a direct pecuniary interest to remain in the Chamber, the following members declared an interest and withdrew from the Chamber prior to the consideration of the amendment of Senator Corrie Stein -

Senators

Le Maistre, Norman, Walker, Le Sueur.

Connétables

Grouville, St. Martin.

Deputies

Huet(H), St. John, St. Peter, St. Ouen, Troy(B), Farnham(S).

THE STATES adopted an amendment of Senator Corrie Stein that the proposition be numbered as paragraph (1) and after the proposition there be inserted the following paragraph-

- “(2) to charge the Housing Committee to bring forward for States’ approval a scheme to safeguard the rental deposits paid by tenants to landlords or agents in the private sector, and deposits paid by lodgers to lodging house owners and to ensure the prompt return of the monies at the end of the period of occupation.”

Members present voted as follows on the amendment -

“Pour” (28)

Senators

Stein, Bailhache, Syvret, Kinnard, Le Claire, Lakeman.

Connétables

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

Deputies

H. Baudains(C), S. Baudains(H), Duhamel(S), Routier(H), Breckon(S), St. Martin, Le Main(I Vibert(B), St. Ouen, Voisin(L), Scott Warren(S), Le Hérissier(S), Fox(H), Bridge(H), Martin(H Southern(H).

“Contre” (3)

Connétables

Trinity, St. Brelade.

Deputy

Dorey(H).

THE STATES resumed consideration of the Housing Committee Strategic Policy Report 2002-2006 received the Housing Committee’s Strategic Policy Report 2002-2006 and adopting the proposition endorsed the Committee’s principal aims as amended for that period, namely -

- (1)(a) to ensure that a sufficient supply of accommodation is provided to meet the reasonable demands of all residents to obtain secure and affordable homes;
- (b) to concentrate on providing assistance for those in need;
- (c) to provide housing which is sustainable, making optimum use of scarce land resources;
- (d) to enable housing for those in need to be provided through a range of funding mechanisms, in order to make the most cost-effective use of public funds;
- (e) to ensure the Island’s stock of social rented housing is properly maintained and where necessary improved;
- (f) to support the principle of home ownership;
- (g) to agree that, prior to any sale or transfer of social rented housing to a Housing Trust or Association or similar body, there shall be a formal consultation process, to include a ballot (or another appropriate method) to establish whether tenants are in favour of such sale or transfer.
- (h) to utilise resources effectively to achieve best value;
- (i) to support measures that help to manage any growth of the population through immigration, in order to control housing demand;
- (j) to improve the quality of life for residents; and
- (k) to sponsor legal reforms in the interest of clarity and equity, with specific emphasis on the Human Rights implications of current law and policy.

(2) Charged the Housing Committee to bring forward for States’ approval a scheme to safeguard the rental deposits paid by tenants to landlords or agents in the private sector, and deposits paid by lodgers to lodging house owners and to ensure the prompt return of the monies at the end of the period of occupation.

Change in Presidency

THE STATES re-assembled after the lunch adjournment under the Presidency of Miss Catherine Mary

Newcombe, Greffier of the States, although the Bailiff resumed the Presidency for a time during the afternoon session.

THE STATES rose at 5.47 p.m.

C.M. NEWCOMBE

Greffier of the States.