

**THE STATES assembled on Tuesday,
2nd December 2003 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 Paul Vincent Francis Le Claire– ill
John Baudains Germain, Connétable of St. Martin– ill
Alan Breckon, Deputy of St. Saviour– ill
Collin Hedley Egré, Deputy of St. Peter– ill

Prayers

Subordinate legislation tabled

The following enactments were laid before the States, namely –

Rabies (Importation of Dogs, Cats and other Mammals) (Amendment No. 5) (Jersey) Order 2003. <i>Economic Development Committee.</i>	R&O 139/2003.
Pet Travel Scheme (Jersey) Order 2003. <i>Economic Development Committee.</i>	R&O 140/2003.
Financial Services (Trust Company Business (Registration and Fees)) (Jersey) Order 2003. <i>Economic Development Committee.</i>	R&O 141/2003.
Companies (General Provisions) (Amendment) (Jersey) Order 2003. <i>Economic Development Committee.</i>	R&O 142/2003.
Community Customs (Wine and Spirits) (Amendment No. 2) (Jersey) Order 2003. <i>Home Affairs Committee.</i>	R&O 143/2003.
Post Office (General Provisions) (Amendment No. 52) (Jersey) Order 2003. <i>Committee for Postal Administration.</i>	R&O 144/2003.
Post Office (Foreign Post Provisions) (Amendment No. 30) (Jersey) Order 2003. <i>Committee for Postal Administration.</i>	R&O 145/2003.
Post Office (General Provisions) (Amendment No. 53) (Jersey) Order 2003. <i>Committee for Postal Administration.</i>	R&O 146/2003.

Matters presented

The following matters were presented to the States –

Absence levels in the Public Sector. <i>Presented by the Policy and Resources Committee.</i>	R.C.49/2003.
Criminal Injuries Compensation Board: report and accounts for 2002. <i>Presented by the Home Affairs Committee.</i>	R.C.50/2003.
Public and private sector construction workflow projections. <i>Presented by the Economic Development Committee.</i>	R.C.51/2003.
Jersey Community Relations Trust (P.120/2003): addendum to report. <i>Presented by the Policy and Resources Committee.</i>	P.120/2003. Add.
Draft Housing (General Provisions) (Amendment No. 20) (Jersey) Regulations 200- (P.156/2003): comments. <i>Presented by the Finance and Economics Committee.</i>	P.156/2003. Com.
Budget 2004: amendment (P.160/2003) – comments. <i>Finance and Economics Committee.</i>	P.160/2003. Com.
Budget 2004: amendment (P.160/2003) – comments. <i>Presented by the Environment and Public Services Committee.</i>	P.160/2003. Com.(2)
Budget 2004: second amendment (P.165/2003) – comments. <i>Presented by the Finance and Economics Committee.</i>	P.165/2003. Com.
Budget 2004: third amendment (P.166/2003) – comments. <i>Presented by the Finance and Economics Committee.</i>	P.166/2003. Com.
Draft Family Allowances (Jersey) Regulations 200- (P.167/2003): comments. <i>Presented by the Finance and Economics Committee.</i>	P.167/2003. Com.
Draft Health Insurance (Medical Benefit) (Amendment No. 58) (Jersey) Regulations 200- (P.168/2003): comments. <i>Presented by the Finance and Economics Committee.</i>	P.168/2003. Com.
Draft Boats and Surf-Riding (Control) (Amendment No. 25) (Jersey) Regulations 200- (P.177/2003): addendum to report. <i>Presented by the Harbours and Airport Committee.</i>	P.177/2003. Add.
Draft Road Traffic (No. 56) (Jersey) Regulations 200 (P.179/2003): comments. <i>Presented by the Home Affairs Committee.</i>	P.179/2003. Com.

Matters noted – land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 26th November 2003, showing that, in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Environment and Public Services Committee, the renewal of the ground lease to Mrs. Gillian Geraldine Hidrio, née Carré, of the property upon which stood Colleens Café, Grève de Lecq, St. Ouen, for a period of nine years from 25th December 2003, at a commencing annual rent of £7,000 increasing to £7,500 for the second and third years, and thereafter to increase on the third and sixth anniversary of the lease in line with the Jersey Retail Price Index, on the basis that all other terms

and conditions would remain unchanged, and with each party to be responsible for its own legal costs arising from this transaction;

- (b) as recommended by the Environment and Public Services Committee, the purchase from Cass Properties (Jersey) Limited of an area of land (measuring 621 square feet) adjacent to Nos. 14 $\frac{1}{2}$ and 15 Union Street, St. Helier (446 square feet fronting No. 14 $\frac{1}{2}$ Union Street and 175 square feet fronting 15 Union Street – as shown on Drawing No. 001 prepared by the Public Services Department), required for road widening purposes, for a consideration of £621 (representing a rate of £1 a square foot). Zolfino Holdings Limited and Annic Properties Limited, who currently had a respective leasehold interest in respect of the properties, were required, and had agreed, to be party to the public's deed of purchase, in order to abandon their said respective interests and to provide full vacant possession of the land to be acquired. In addition, compensation in the sum of £2,000 was to be paid to Annic Properties Limited in relation to the relocation of its on-site car parking and a further £350 in relation to its associated reasonable legal costs. The Committee was to be responsible for both parties' reasonable legal costs arising from this transaction;
- (c) as recommended by the Environment and Public Services Committee, the entering into of a Deed of Arrangement with the Parish of St. Brelade in order to establish new boundaries between the Slip Road lying between La Route du Petit Port and the slipway at Petit Port, St. Brelade and land to the north owned by the public (being Pumping Station No. 10), as detailed on Drawing No. M681/03 dated July 2003 prepared by the Public Services Department, on the basis that each party would be responsible for its own legal costs arising from the transaction, and that the fees of the Public Services Department in preparing the said drawing would be met equally; and,
- (d) as recommended by the Environment and Public Services Committee, the purchase from Mr. Paul Edwin Vibert and Mrs. Nicola Daryl Vibert, née Rimeur, of an area of land at Field No. 77, St. Oue required for the construction of a pumping station, for a consideration of £1,288 on the basis that the public would be granted a vehicular and pedestrian right of way at all times to access and egress the site to be purchased onto the remainder of Field No. 77. In addition, the public would be granted the use of a working area at Field No. 77 (measuring 1,550 square feet) for the duration of the construction works and at no extra cost. Mr. and Mrs. Vibert's property "Les Heches" would be provided with a free connection to the foul sewer by the public, and the public would also ensure suitable access to the lower part of Field No. 77, with the location of the crossing to be agreed on site at the time of construction. Following completion of the works, the public would not accept responsibility for the repair, maintenance, upkeep or replacement of the crossing, nor the safety of any users thereof. It was to be agreed that the existing crossing between Field No. 77 to Field No. 78 would remain. The public was to be responsible for the payment of Mr. and Mrs. Vibert's legal costs in relation to this transaction.

Matters noted – acceptance of tender

THE STATES noted an Act of the Finance and Economics Committee dated 26th November 2003, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the lowest tender received in respect of the proposed development of the new Magistrate's Court, and Probation and After Care Service office development, St. Helier, had been submitted by Hacquoil and Cook Limited in the sum of £7,164,825.54 in an alternative contract period of 92 weeks.

Matters lodged

The following matters were lodged "au Greffe" –

Greville Bathe Fund: appointment of trustee. P.181/2003.
Presented by the Finance and Economics Committee.

La Pouquelaye School redevelopment: approval of drawings. P.182/2003.

Presented by the Education, Sport and Culture Committee.

Jersey Police Complaints Authority: appointment of Chairman and members. P.183/2003.
Presented by the Home Affairs Committee.

La Carrière, Bellozanne Valley, St. Helier: transfer of administration. P.184/2003.
Presented by the Environment and Public Services Committee.

Jersey Financial Services Commission: appointment of Commissioner. P.185/2003.
Presented by the Economic Development Committee.

Arrangement of public business for the next meeting on 9th December 2003

THE STATES confirmed that the following matters lodged “au Greffe” would be considered at the next meeting on 9th December 2003 –

Official Report of the States Assembly and its Committees (‘Hansard’): P.81/2003.
Introduction.
Lodged: 17th June 2003.
Privileges and Procedures Committee.

Official Report of the States Assembly and its Committees (‘Hansard’): P.81/2003.
Introduction (P.81/2003) – comments. Com.
Lodged: 18th November 2003.
Finance and Economics Committee.

Jersey Community Relations Trust. P.120/2003.
Lodged: 12th August 2003.
Policy and Resources Committee.

Jersey Community Relations Trust (P.120/2003): addendum to report. P.120/2003.
Presented: 2nd December 2003. Add.
Policy and Resources Committee.

Jersey Community Relations Trust (P.120/2003): comments. P.120/2003.
Presented: 7th October 2003. Com.
Finance and Economics Committee.

Jersey Community Relations Trust (P.120/2003): amendments. P.120/2003.
Lodged: 7th October 2003. Amd.
Connétable of St. Helier.

Draft Housing (General Provisions) (Amendment No. 20) (Jersey) Regulations P.156/2003.
200-.
Lodged: 11th November 2003.
Housing Committee.

Draft Housing (General Provisions) (Amendment No. 20) (Jersey) Regulations P.156/2003.
200- (P.156/2003): comments. Com.
Presented: 2nd December 2003.
Finance and Economics Committee.

Le Coie Hotel site, Janvrin Road/Springfield Road, St. Helier: approval of P.161/2003.
drawings and sale of units.
Lodged: 18th November 2003.
Housing Committee.

Draft Family Allowances (Jersey) Regulations 200-. Lodged: 25th November 2003. <i>Employment and Social Security Committee.</i>	P.167/2003.
Draft Family Allowances (Jersey) Regulations 200- (P.167/2003): comments. Presented: 2nd December 2003. <i>Finance and Economics Committee.</i>	P.167/2003. Com.
Draft Health Insurance (Medical Benefit) (Amendment No. 58) (Jersey) Regulations 200-. Lodged: 25th November 2003. <i>Employment and Social Security Committee.</i>	P.168/2003.
Draft Health Insurance (Medical Benefit) (Amendment No. 58) (Jersey) Regulations 200- (P.168/2003): comments. Presented: 2nd December 2003. <i>Presented by the Finance and Economics Committee.</i>	P.168/2003. Com.
Draft Parish Rate (Administration) (Amendment) (Jersey) Regulations 200-. Lodged: 25th November 2003. <i>Legislation Committee.</i>	P.169/2003.
Draft Amendment (No. 28) to the Tariff of Harbour and Light Dues. Lodged: 25th November 2003. <i>Harbours and Airport Committee.</i>	P.171/2003.
Draft Harbours (Amendment No. 36) (Jersey) Regulations 200. Lodged: 25th November 2003. <i>Harbours and Airport Committee.</i>	P.175/2003.
Draft Boats and Surf-Riding (Control) (Amendment No. 25) (Jersey) Regulations 200-. Lodged: 25th November 2003. <i>Harbours and Airport Committee.</i>	P.177/2003.
Draft Boats and Surf-Riding (Control) (Amendment No. 25) (Jersey) Regulations 200- (P.177/2003): addendum to report. Presented: 2nd December 2003. <i>Harbours and Airport Committee.</i>	P.177/2003. Add.
Waterfront Leisure Complex: sale of Head Lease. Lodged: 25th November 2003. <i>Finance and Economics Committee.</i>	P.172/2003.
Health Services Disciplinary Tribunal: appointment of members. Lodged: 25th November 2003. <i>Employment and Social Security Committee.</i>	P.173/2003.
Manual Workers' Joint Council: membership. Lodged: 25th November 2003. <i>Policy and Resources Committee.</i>	P.174/2003.
Bas du Mont Flats, Pier Road, St. Helier: sale to the Christians Together in Jersey (CTJ) Housing Trust. Lodged: 25th November 2003.	P.176/2003. <i>(re-issue)</i>

Housing Committee.

Draft Road Traffic (No. 56) (Jersey) Regulations 200. P.179/2003.
Lodged: 25th November 2003.
Deputy G.C.L. Baudains of St. Clement.

Draft Road Traffic (No. 56) (Jersey) Regulations 200 (P.179/2003): comments. P.179/2003.
Presented: 2nd December 2003. Com.
Presented by the Home Affairs Committee.

Cattle Street Car Park, St. Helier: transfer of administration of a part of land. P.180/2003.
Lodged: 25th November 2003.
Telecommunications Board.

States of Jersey Police – question and answer (Tape No. 873)

Deputy Gerard Clifford Lemmens Baudains of St. Clement, asked Senator Wendy Kinnard, President of the Home Affairs Committee, the following question –

“Would the President inform members whether the States of Jersey Police has made any changes to its working relationship with the Honorary Police, and, if so, whether the Committee is content with the changes?”

The President of the Home Affairs Committee replied as follows –

“The working relationship between the States and the Honorary Police has benefited from a number of positive developments, for example –

- (a) Joint participation in Operation FOCUS in St. Helier,
- (b) Joint operations elsewhere in the Island to address vandalism and disorder, and,
- (c) The presence of Honorary Police officers at weekly specialised tasking meetings.

In consultation with the Comité des Connétables, the Home Affairs Committee is seeking to bring both Honorary and States policing within a combined framework of accountability. The States of Jersey Police and the Home Affairs Committee are in the process of developing a Memorandum of Understanding which seeks, for the first time, to set out a framework in which States and Honorary officers share responsibility for responding to calls from the public. The Home Affairs Committee and the Comité des Connétables met yesterday to discuss an amended draft of the Memorandum of Understanding. This will now be forwarded to the Attorney General and the Honorary Police for their comments. The Home Affairs Committee is committed to providing the people of Jersey with the best possible police service of any comparable jurisdiction and recognises the important contribution that the Honorary Police will continue to make in delivering this.”

Fees charged by the Jersey Competition Regulatory Authority (JCRA) – question and answer (Tape No. 873)

The Deputy of St. John asked Deputy Francis Gerald Voisin of St. Lawrence, President of the Economic Development Committee, the following question –

“Would the President advise –

- (a) what licensing fees are charged by the Jersey Competition Regulatory Authority, (JCRA), in respect of

Jersey Telecom? and,

- (b) how much in fees has the JCRA received since its inception, and what proportion of these fees have been collected from Jersey Telecom?"

The President of the Economic Development Committee replied as follows –

- “(a) This was initially set at 2% of the regulated turnover of licensed telecommunications operators but was later revised to 1.5% of regulated turnover. It is anticipated to be lower next year.
- (b) The JCRA was established in May 2001, and the total amount of licence fees received over the two and a half years to date has been £955,000.

In the interests of business confidentiality, it is not appropriate to divulge the exact proportions of licence fees charged to operators, although clearly the main bulk of fees have been paid by Jersey Telecom as the Island’s main telecommunications provider. This may change over time if more operators enter the market.”

Emeraude Lines – questions and answers (Tape No. 873)

Senator Edward Philip Vibert asked Senator Leonard Norman, President of the Harbours and Airport Committee the following questions –

- “1. Will the President give a full report of his discussions with the *Tribunal de Commerce* in St. Malo in relation to the takeover of Emeraude Lines?
2. Would the President confirm whether the Committee will do everything possible to ensure that no obstacle is put in the way of the new owners of Emeraude to continue the tradition of service to the Island established by Emeraude Lines in providing a reliable, all year-round service between St. Helier and St. Malo?”

The President of the Harbours and Airport Committee replied as follows –

- “1. On the evening of Monday 10th November 2003, I was advised by the *Administrateur Judiciaire* that the *Tribunal de Commerce* was to sit on the following Wednesday and would be considering one bid only for the assets of Emeraude Lines SA, that from the French *Compagnie Nationale de Navigation*. I was further informed that that company had no intention of making any payment to Channel Island creditors. This was in direct contrast to at least one of the other bids which had been made to the Tribunal.

I, therefore, made arrangements to appear before the Tribunal and travelled to St. Malo on the Wednesday, supported by the Chief Executive of the Harbours Department, our legal adviser and the Chairman of the Save Emeraude Group.

My aim was threefold. Firstly, to ensure that the Tribunal, and any bidders for the assets of Emeraude Lines SA, were aware of our ramp permit regulations; secondly, to persuade the Tribunal to consider the other bids which had been made; and thirdly, at the request of the President of the Jersey Hospitality Association, to represent the interests of Jersey creditors from the tourism and related industries. I believe that I was successful on all three counts.

I was at pains to assure the Tribunal that the Jersey authorities recognised that the decision regarding the future of Emeraude Lines SA and its assets was solely in the jurisdiction of the Tribunal.

The Tribunal also recognised that the process and eventual granting or otherwise of a ramp permit for St. Helier Harbour was exclusively a matter for the Jersey authorities.

I advised the *Tribunal de Commerce* that when considering an application for a ramp permit the

Committee would take into account operational, safety and solvency issues as well as the social and economic benefits to the Island, and, in the current circumstances, how the bona fide Jersey creditors would be treated. I also advised the Tribunal that I would expect any application to be dealt within a period of three to four weeks from receipt.

During the course of my discussions with the Tribunal, to which I gave evidence for about an hour, it was suggested to me that by not automatically granting a ramp permit to any successful bidder for Emeraude Lines SA's assets the Harbours and Airport Committee could be blamed for the liquidation of Emeraude Lines. My response was, as I recall, "such is life", and added that I was aware that the Committee was not responsible for Emeraude's financial difficulties.

When pressed by the President of the Tribunal to explain the reasons for Emeraude's financial failure, I declined to speculate as this was not the purpose of my attending and my opinion on this issue was not relevant to the proceedings. The President of the Tribunal accepted this position.

As a matter of interest, I have been advised at an official level of the possibility of investigations in France into the financial affairs of the company and its former management.

The Tribunal did attempt to persuade me that we should agree to transfer the existing ramp permit issued to Emeraude Lines SA to the purchaser of the assets. I explained that although there was no provision in the regulations for such a transfer, such a transfer could be attractive to the Jersey authorities as one of the conditions to the permit requires the harbour dues to be paid in full within seven days. The Tribunal recognised the difficulties this could cause to a potential purchaser.

As a result of my submissions and, doubtless, those of others, the Tribunal decided that it would, after all, consider the bids made by the other parties who had indicated an interest in purchasing the assets of Emeraude Lines SA, which, as I said earlier, was one of our objectives. There is no doubt that we were at the end of that day in a much better position than we were at the beginning.

This can only be a précis of the events at the Tribunal, but I would wish to add that at all times the Jersey delegation was treated with respect and courtesy, and I believe that this treatment was reciprocated.

I have written to the President of the Tribunal to express my thanks for her consideration and understanding.

2. The Harbours and Airport Committee continues to work closely with the new owners of Emeraude Lines SA's assets with the ambition of securing a seamless transfer of service, and a secure, year-round, affordable ferry link provided by companies properly and securely financed and with management of probity."

Average earnings variances – questions and answers (Tape No. 873)

Deputy Geoffrey Peter Southern of St. Helier asked Senator Terence Augustine Le Sueur, President of the Finance and Economics Committee, the following questions –

- “1. The figures below show the cumulative rise in average earnings by sector over the years 1994 to 2002 –

<i>Sector</i>	<i>percentage change</i>
Agriculture	31
Manufacturing	34
Electricity, gas, water	52
Construction	47
Distribution	53

Hotels, restaurants, bars	49
Transport and communications	56
Financial Intermediation	68
Other business	61
Public administration	40
All sectors	53

Does the President accept that these figures demonstrate clearly that the gap between higher and lower incomes has increased markedly over this period of time?

2. Will the President inform members which measures proposed in the 2004 budget are designed to reduce the growing gap between rich and poor?"

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

- “1. No. The figures provide no information at all on incomes. All they show are the relative movements in average earnings in different sectors. The reasons for these movements are many and varied as employment patterns are constantly changing. For example, the finance industry has recently shed a number of lower paid back office jobs. This shift towards higher value jobs will have the effect of raising the average earnings figure for the sector as a whole.

The figures do, however, demonstrate that there are differences between sectors in the cumulative rise in average earnings between 1994–2002. This is also reflected in differences in changes in productivity and profitability per worker between sectors, particularly in the financial services sector which experienced an unprecedented boom during the 1990’s. Output per worker, measured in terms of profit, is higher in financial services by a considerable margin than in any other private sector activity and this no doubt has some correlation with its rise in average earnings experienced over the period measured.

2. The 2004 Budget should be viewed as an overall package for tax and spending, and individual measures should not be viewed in isolation. The Committee firmly believes that the Budget represents a package of measures which is fair and equitable, with no one sector of society taking an unfair burden of any additional tax take.”

Jersey’s obligations under the Ramsar Convention – questions and answers (Tape No. 873)

Deputy Gerard Clifford Lemmens Baudains of St. Clement, asked Deputy Maurice François Dubras of St. Lawrence, President of the Environment and Public Services Committee, the following questions–

- “1. With regard to Jersey’s obligations under the Ramsar Convention, would the President advise members –
 - (a) of the number of nature reserves that have been established on wetlands to date and give details of the manpower and other resource requirements occasioned by their management, together with the number of persons trained in wetland research/management and the associated training costs? and,
 - (b) give details of the steps taken to increase wildfowl populations, if any, and advise what success has been achieved in this regard?
2. At the Environment and Public Services Committee’s meeting held at the Royal Jersey Agricultural and Horticultural Society, Trinity, to determine the Jersey Heritage Trust’s planning application for Mont Orgueil Castle, it was stated that work would have to be prioritised. As the only visible activity is new work as opposed to repair, would the President make available the schedule of work currently approved by the Committee, together with the estimated timescales?”

The President of the Environment and Public Services Committee replied as follows –

- “1. The Ramsar Convention is an international agreement on the conservation of wetlands of international importance especially as waterfowl habitats. Members will be aware that the Ramsar Convention is one of many multilateral environmental agreements whose ratification has been extended to Jersey. Worldwide there are 138 contracting parties who have designated 1,327 wetland sites with a total area of 112 million hectares.

Turning to the specific points contained in the question –

- (a) In Jersey we have designated the South East coast from La Collette to Gorey as a wetland site of international significance. Nature reserves, (SSI status), have also been proposed for Ouaisne and St. Ouer's Pond. The management of these sites and their interpretation for educational purposes has been delivered through existing departmental resources carried out by close cooperation between the Sea Fisheries Department, the Harbours Department and the Environment Department. This demonstrates the benefits of the proposed merger of responsibilities. No additional training costs have been required as existing staff of the Planning and Environment Department have relevant experience in the management of wetlands, both in terms of species and habitat conservation and monitoring, and also in their physical protection from development and pollution.
- (b) Increasing wildfowl populations is not an objective of the Convention. Ramsar recognises the current importance of sites and seeks to maintain and conserve it through the concept of wise use. In Jersey we have delivered this through the incorporation of these objectives into the Island Plan.

Contracting Parties report on progress in implementing their commitments under the Convention by submission of triennial National Reports to the Conference of the Contracting Parties. The National Reports become part of the public record. We have made one report so far for the Conference of Parties (7) last year.

It is important to realise that the U.K. is the signatory to the convention and Jersey's wetland is designated by the U.K. on behalf of the Island. Recent communications with DEFRA, the U.K., ministry responsible for Ramsar, indicate that it is satisfied that the Island is fulfilling its obligations under the Treaty. A review of all Ramsar sites designated by the U.K. including Overseas and Dependant Territories is at present planned by the end of 2004 and the Committee will note the results of this review.

I can also say that Jersey's designation of the South East coast as a Ramsar site in fulfilment of its international obligations has been an unqualified success. It has strengthened our international profile and provided a real source of local pride. There has been no impact on traditional activities which can all be accommodated into the “wise use” description and we have benefited from the site acting as a significant attraction for tourism with many people taking advantage of the guided walks and tours of the area. The Committee is currently proposing the extension of the Ramsar designation to the offshore reefs of the Ecrehous and Les Minquiers and a consultation process is being established.

2. The Planning Permit issued on 7th August 2003, was conditioned to ensure that appropriate priority is given to works of repair and consolidation at the Castle. The Committee did not insist that the repairs be done first, but rather that repairs should be undertaken in a timely manner.

The Jersey Heritage Trust duly submitted a programme of works to the Committee for consideration at its meeting on 19th September 2003. Committee Members were satisfied that the programme included the timetable for each approved proposal in the Development Strategy, satisfactorily showed how the repair and improvement work will be spread over the next three years, and indicated that available funding has been allocated to deal with significant repair and renewal works.

It was agreed that implementation of the works against the programme and cost assumptions will be

reviewed formally by the Committee at six monthly intervals.

I will be happy to supply Deputy Baudains with a copy of the programme of works.”

Properties owned and/or managed by the Health and Social Services Committee – question and answer
(Tape No. 873)

Deputy Roy George Le Hérisier of St. Saviour, asked Senator Stuart Syvret, President of the Health and Social Services Committee, the following question –

“Would the President inform members whether there exists an overall plan in respect of all properties owned and/or managed by the Health and Social Services Department, and, if so, would he indicate, in approximate percentage terms, the under-utilisation that exists within the property portfolio and what major initiatives are in place to deal with the issue of under-utilisation?”

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

“The Health and Social Services Committee has a Strategic Development Plan for its major hospital sites which was produced in May 1999. The Plan highlights development needs over short-term (1999–2004), medium-term (2004–2009) and long-term (2010–2020) periods.

Along with that strategy, a long term Capital Programme was developed in July 2002 covering the period 2006 to 2012. At that time an average annual capital development investment of £14.46 million was predicted.

Due to the existing pressures on capital development budgeting and the ever changing development in health services and technology, the Strategic Development Plan is being constantly reviewed and planned capital projects prioritised. Over the last ten years (1994–2003) the Committee has only been successful in achieving an average annual capital budget allocation of £4.15 million.

The Health and Social Services Committee administer property covering an area of 99,707 square metres or 1,073,342 square feet in 155 properties. The percentage of this property under-utilised is 1.8%.

Present under-utilisation is –

<u>Accommodation</u>		<u>AREA</u>
Sous L'Eglise	– Disposal/re-investment.	290m ²
3 The Denes	– Refurbishment required.	100m ²
<u>Accommodation/office</u>		
Catherine Quirke House	– Awaiting demolition.	500m ²
<u>Hospital accommodation</u>		
St. Saviour's Hospital – Queens House	– All areas being used but numbers of patients on two wards have declined over the last 10 years as group homes have come on line.	900m ²

Housing Committee – proposed performance measures – question and answer (Tape No. 873)

Deputy Geoffrey Peter Southern of St. Helier asked Deputy Terence John Le Main of St. Helier, President of the Housing Committee, the following question –

“On page 50 of the Budget 2004, the Committee outlines performance measures to be introduced in the coming year. These include –

the percentage spent on maintenance to planned repairs; and,

average cost of response repairs.

Will the President inform members whether the Committee has initial figures for these two measures and, if so, will he reveal them to members, and will he also advise whether the Committee has comparable figures for U.K. authorities?”

The President of the Housing Committee replied as follows –

“The percentage of the maintenance budget, which is to be spent on planned maintenance equates to 73.02%, in financial terms; planned maintenance is allocated £2,976,700.00 of the £4,076,700.00 available.

The budget for response repairs for 2004 is £1,100,000.00; this equates to £4.53 per unit of accommodation per week.

The Department has recently completed a benchmarking exercise using performance indicators to measure its performance in a number of areas with either specific authorities with similar size stock or a broad cross section of U.K. social landlords. This data has identified –

that a U.K. Government Standard exists for the proportion of maintenance expenditure spent on planned maintenance in comparison to day to day or responsive repairs. This standard requires that the split in expenditure be a minimum of 70% on planned maintenance and 30% on day to day or responsive repairs; and,

the Office of the Deputy Prime Minister (ODPM) publishes a range of performance indicators for social housing, together with average results. The data published here indicates that, on average, each unit of social rented accommodation in the United Kingdom costs £12.00 per unit per week to maintain.”

Rôle of the Training and Employment Partnership – question and answer (Tape No. 873)

Deputy Roy George Le Hérissier of St. Saviour, asked Deputy Francis Gerald Voisin of St. Lawrence, President of the Economic Development Committee, the following question –

“Would the President confirm that a report on the rôle of the Training and Employment Partnership was undertaken in 2001 by Dr. Jim Haillage, and, if so, would the President outline the major recommendations of the report and the action taken in respect of these?”

The President of the Economic Development Committee replied as follows –

“The Training and Employment Partnership Board commissioned Dr. Jim Haillage of the Institute for Employment Studies (IES) in April 2001 to review the Training and Employment Partnership (TEP). A report on the review was presented and accepted by both the TEP Board and the Employment and Social Security Committee in 2001, before being circulated to all key stakeholders and published on the Employment and Social Security website.

The review made 16 major recommendations, of which 12 have been successfully implemented to the benefit of the workforce, measured by the increasing numbers of organisations and individuals receiving support.

For example, the numbers of individuals supported in 2003 now exceeds 3,000 compared with 850 in 2001, and the numbers of local businesses receiving support has risen from 60 to 350 over the same period.

The four recommendations not implemented are –

1. To merge the TEP with the Jersey Business Venture (JBV). Following discussions with both the JBV and other key stakeholders, the organisations have not merged. However, the JBV and TEP are now operating in a far more effective partnership.
2. To change the name of the Training and Employment Partnership. The view of the executive, partners, key stakeholders, and the many thousands of individuals receiving support was that changing the TEP name would create unnecessary confusion.
3. To work with providers to improve the quality of provision and promote the adoption of high standards in vocational learning has not been successfully implemented, although, improvements have been made where quality assurance measures are conditional to receiving TEP funding.
4. That the TEP be overseen by a board was not accepted. The views of the previous board members that they had become ineffective was taken into consideration, and, following the transfer to the Economic Development Department and further consultation with the TEP Board members, the States agreed a proposition to disband the TEP Board in May 2003.

Copies of the report are available from the Training and Employment Partnership, and the Director would be happy to answer any specific questions on the report or actions taken so far.”

Budget 2004 Amendments and Comments

THE STATES allowed the Treasurer of the States to be present in the Chamber during the consideration of the Budget.

THE STATES commenced consideration of the Budget for the financial year commencing 1st January 2004, which in accordance with Article 16 of the Public Finances (Administration) (Jersey) Law 1967, as amended, had been presented to the Assembly on 4th November 2003, by the Finance and Economics Committee and comprised –

- (i) the estimate of the revenue expenditure and income of the States;
- (ii) the estimate of the transactions of the capital fund;
- (iii) the estimate of the transactions of the trading funds; and,
- (iv) the Report of the Finance and Economics Committee thereon.

Lunch adjournment

THE STATES then adjourned for lunch, having rejected a proposition of Senator Jean Amy Le Maistre that they reconvene at 2.00 p.m. instead of 2.30 p.m. after the lunch adjournment.

Members present voted as follows –

“Pour” (17)

Senators

Le Maistre, Syvret.

Connétables

St. Mary, St. Clement, Trinity, St. Lawrence.

Deputies

Duhamel(S), St. John, Dorey(H), Bridge(H), Martin(H), Southern(H), Ferguson(B), St. Ouen, Ryan(H), Grouville, Hilton(H).

“Contre” (29)

Senators

Norman, Walker, Le Sueur, Lakeman, Routier, M. Vibert, Ozouf, E. Vibert.

Connétables

St. Ouen, St. Saviour, St. Brelade, St. John, St. Peter, St. Helier, Grouville.

Deputies

Trinity, Huet(H), St. Martin, Le Main(H), Dubras(L), Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Le Hérissier(S), Bernstein(B), St. Mary, Taylor(C), De Faye(H).

Budget 2004

Amendments and Comments

THE STATES resumed consideration of the Budget 2004, and, after further discussion, Deputy Gerard Clifford Lemmens Baudains of St. Clement sought leave to propose that the States move on to the next item on the Order Paper. The Bailiff ruled that, in accordance with Standing Order 27(1), the proposition was an abuse of the procedure of the States and it was therefore disallowed.

Adjournment

THE STATES then adjourned, having agreed that outstanding matters in the Budget and other items of public business should stand over until Wednesday 3rd December 2003.

THE STATES rose at 5.40 p.m.

A.H. HARRIS

Deputy Greffier of the States.