



**THE STATES assembled on Monday  
27th June 2011, at 2.30 p.m. under  
the Presidency of the Bailiff,  
Michael Cameron St. John Birt Esquire.**

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All members were present at roll call with the exception of –

Senator Terence Augustine Le Sueur – absent on States business  
Senator Paul Francis Routier – absent on States business  
Senator Ben Edward Shenton – excused attendance  
Connétable John Le Sueur Gallichan of Trinity – excused attendance  
Connétable Silvanus Arthur Yates of St. Martin – excused attendance  
Connétable Juliette Gallichan of St. Mary – excused attendance  
Deputy Roy George Le Hérisier of St. Saviour – en défaut (défaut raised at 2.52 p.m.)  
Deputy Judith Ann Martin of St. Helier – excused attendance  
Deputy James Gordon Reed of St. Ouen – absent on States business  
Deputy Carolyn Fiona Labey of Grouville – absent on States business  
Deputy Ian Joseph Gorst of St. Clement – absent on States business  
Deputy Anne Teresa Dupré of St. Clement – excused attendance  
Deputy Michael Roderick Higgins of St. Helier – en défaut (défaut raised at 2.50 p.m.)

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Prayers

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### **Attendance**

THE STATES, adopting a proposition by the Connétable of St. Ouen, made in accordance with Standing Order 53(3), agreed that the reason for the absences of Senator Ben Edward Shenton, the Connétables of Trinity, St. Martin and St. Mary and Deputies Judith Ann Martin of St. Helier and Anne Teresa Dupré of St. Clement were such that they should be excused attendance for the whole of the week.

Members present voted as follows –

**POUR: 36**

**CONTRE: 1**

**ABSTAIN: 0**

Senator P.F.C. Ozouf  
Senator T.J. Le Main  
Senator F.E. Cohen  
Senator J.L. Perchard  
Senator A. Breckon  
Senator S.C. Ferguson  
Senator A.J.H. Maclean  
Senator B.I. Le Marquand  
Senator F. du H. Le Gresley  
Connétable of St. Ouen  
Connétable of St. Helier  
Connétable of Grouville  
Connétable of St. Brelade  
Connétable of St. John  
Connétable of St. Saviour

Deputy T.M. Pitman (H)

Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Deputy R.C. Duhamel (S)  
 Deputy of St. Martin  
 Deputy J.B. Fox (H)  
 Deputy of St. Peter  
 Deputy J.A. Hilton (H)  
 Deputy P.V.F. Le Claire (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy S.S.P.A. Power (B)  
 Deputy S. Pitman (H)  
 Deputy K.C. Lewis (S)  
 Deputy A.E. Jeune (B)  
 Deputy of St. Mary  
 Deputy E.J. Noel (L)  
 Deputy T.A. Vallois (S)  
 Deputy A.K.F. Green (H)  
 Deputy D.J. De Sousa (H)  
 Deputy J.M. Maçon (S)

#### **Filming in the Chamber by ‘Team Voice’**

The Bailiff informed the Assembly that he had received a request from ‘Team Voice’ to film the special meeting to be held on 30th June 2011 on the occasion of the departure of His Excellency the Lieutenant Governor, Lieutenant-General Sir Andrew Ridgway, K.B.E., C.B.

THE STATES rejected the request.

Members present voted as follows –

#### **POUR: 17**

Senator A. Breckon  
 Senator S.C. Ferguson  
 Senator F. du H. Le Gresley  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Deputy R.C. Duhamel (S)  
 Deputy of St. Martin  
 Deputy G.P. Southern (H)  
 Deputy P.V.F. Le Claire (H)  
 Deputy S. Pitman (H)  
 Deputy M. Tadier (B)  
 Deputy of St. Mary  
 Deputy T.M. Pitman (H)  
 Deputy T.A. Vallois (S)  
 Deputy M.R. Higgins (H)  
 Deputy D.J. De Sousa (H)  
 Deputy J.M. Maçon (S)

#### **CONTRE: 22**

Senator P.F.C. Ozouf  
 Senator T.J. Le Main  
 Senator F.E. Cohen  
 Senator J.L. Perchard  
 Senator A.J.H. Maclean  
 Senator B.I. Le Marquand  
 Connétable of St. Ouen  
 Connétable of Grouville  
 Connétable of St. Brelade  
 Connétable of St. John  
 Connétable of St. Saviour  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Deputy J.B. Fox (H)  
 Deputy of St. Peter  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)

#### **ABSTAIN: 0**

Deputy of Trinity  
 Deputy S.S.P.A. Power (B)  
 Deputy A.E. Jeune (B)  
 Deputy E.J. Noel (L)  
 Deputy A.K.F. Green (H)

### Documents presented or laid

Draft States of Jersey (Miscellaneous Provisions) Law 201-: request to Privy Council (P.99/2011) – comments. P.99/2011.  
 Presented: 27th June 2011. Com.  
*Privileges and Procedures Committee.*

### Notification of lodged propositions

Draft Control of Housing and Work (Jersey) Law 201- (P.37/2011): amendment P.37/2011.  
 (P.37/2011 Amd.) – amendment. Amd.Amd.  
 Lodged: 27th June 2011.  
*Corporate Services Scrutiny Panel.*

Draft Register of Names and Addresses (Jersey) Law 201- (P.38/2011): amendment P.38/2011.  
 (P.38/2011 Amd.) – amendment. Amd.Amd.  
 Lodged: 27th June 2011.  
*Corporate Services Scrutiny Panel.*

Island Plan 2011: approval (P.48/2011): fifty-sixth amendment. P.48/2011.  
 Lodged: 27th June 2011. Amd.(56)  
*Minister for Planning and Environment.*

Draft Civil Partnership (Jersey) Law 201- (P.85/2011): amendment. P.85/2011.  
 Lodged: 27th June 2011. Amd.  
*Education and Home Affairs Scrutiny Panel.*

Draft Sea Fisheries (Amendment No. 2) (Jersey) Law 201-. P.119/2011.  
 Lodged: 27th June 2011.  
*Minister for Economic Development.*

### Statements on a matter of official responsibility

*(see Official Report/Hansard)*

The Minister for Economic Development made a statement regarding Jersey Post's service obligations.

### Arrangement of business for the current meeting

THE STATES, adopting a proposition of the Minister for Planning and Environment, agreed that, in accordance with the provisions of paragraph (4) of Article 4A of the Planning and Building (Jersey) Law 2002, Amendment (56) lodged 'au Greffe' by the Minister for Planning and Environment could be considered during the debate on the 'Island Plan 2011 – approval' (P.48/2011)

**Island Plan 2011: approval P.48/2011**

THE STATES resumed consideration of a proposition of the Minister for Planning and Environment concerning the approval of the Island Plan 2011 (P.48/2011) and commenced consideration of an amendment of that same Minister (Amendment 56) that –

- (a) In Policy H1 – Category A housing sites (page 246 – 247) –
- (i) the first 3 paragraphs and the list of 3 sites under the first paragraph should be deleted (namely all the text from the words “To contribute to the requirement for Category A housing” to the words “requirements for Category A homes can be met in a timely manner.”);
  - (ii) after the words “as set out in supplementary planning guidance to be published and adopted by the Minister for Planning and Environment”, there should be inserted the words “This guidance will specify the definition of Category A housing and will be finalised only after the endorsement of the States Assembly.”.
- (b) any further consequential changes should be made to the draft Plan as required, in the supporting text, Appendices and Proposals Map, to remove references to De La Mare Nurseries, Grouville; Field 785, St. Ouen; and Field 1219, St. Helier as H1 housing sites.

**Adjournment**

THE STATES briefly adjourned, having agreed to reconvene at 4.15 p.m. to resume consideration of the proposition of the Minister for Planning and Environment concerning the approval of the Island Plan 2011 (P.48/2011) and an amendment of that same Minister (Amendment (56)).

**Island Plan 2011: approval P.48/2011**

THE STATES reconvened and resumed consideration of a proposition of the Minister for Planning and Environment concerning the approval of the Island Plan 2011 (P.48/2011) and an amendment of that same Minister (Amendment (56)).

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier that, in accordance with Standing Order 83 the matter should be referred back to the Minister in order that further information relating to the proposition could be provided to the Assembly.

Members present voted as follows –

**POUR: 4**

Deputy of St. Martin  
Deputy G.P. Southern (H)  
Deputy S. Pitman (H)  
Deputy T.M. Pitman (H)

**CONTRE: 38**

Senator P.F.C. Ozouf  
Senator T.J. Le Main  
Senator F.E. Cohen  
Senator J.L. Perchard  
Senator A. Breckon  
Senator S.C. Ferguson  
Senator A.J.H. Maclean  
Senator B.I. Le Marquand

**ABSTAIN: 0**

Senator F. du H. Le Gresley  
 Connétable of St. Ouen  
 Connétable of St. Helier  
 Connétable of Grouville  
 Connétable of St. Brelade  
 Connétable of St. John  
 Connétable of St. Saviour  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Deputy R.C. Duhamel (S)  
 Deputy R.G. Le Hérisier (S)  
 Deputy J.B. Fox (H)  
 Deputy of St. Ouen  
 Deputy of St. Peter  
 Deputy J.A. Hilton (H)  
 Deputy P.V.F. Le Claire (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy S.S.P.A. Power (B)  
 Deputy K.C. Lewis (S)  
 Deputy of St. John  
 Deputy A.E. Jeune (B)  
 Deputy of St. Mary  
 Deputy E.J. Noel (L)  
 Deputy T.A. Vallois (S)  
 Deputy M.R. Higgins (H)  
 Deputy A.K.F. Green (H)  
 Deputy D.J. De Sousa (H)  
 Deputy J.M. Maçon (S)

THE STATES, adopting an amendment of the Minister for Planning and Environment (Amendment (56)) agreed that –

- (a) In Policy H1 – Category A housing sites (page 246 – 247) –
  - (i) the first 3 paragraphs and the list of 3 sites under the first paragraph should be deleted (namely all the text from the words “To contribute to the requirement for Category A housing” to the words “requirements for Category A homes can be met in a timely manner.”);
  - (ii) after the words “as set out in supplementary planning guidance to be published and adopted by the Minister for Planning and Environment”, there should be inserted the words “This guidance will specify the definition of Category A housing and will be finalised only after the endorsement of the States Assembly.”.
- (b) any further consequential changes should be made to the draft Plan as required, in the supporting text, Appendices and Proposals Map, to remove references to De La Mare Nurseries, Grouville; Field 785, St. Ouen; and Field 1219, St. Helier as H1 housing sites.

Members present voted as follows –

**POUR: 40**

Senator P.F.C. Ozouf  
 Senator T.J. Le Main  
 Senator F.E. Cohen  
 Senator J.L. Perchard  
 Senator A. Breckon  
 Senator S.C. Ferguson  
 Senator A.J.H. Maclean  
 Senator B.I. Le Marquand  
 Senator F. du H. Le Gresley  
 Connétable of St. Ouen  
 Connétable of St. Helier  
 Connétable of Grouville  
 Connétable of St. Brelade  
 Connétable of St. John  
 Connétable of St. Saviour  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Deputy R.C. Duhamel (S)  
 Deputy of St. Martin  
 Deputy R.G. Le Hérissier (S)  
 Deputy J.B. Fox (H)  
 Deputy of St. Ouen  
 Deputy of St. Peter  
 Deputy J.A. Hilton (H)  
 Deputy P.V.F. Le Claire (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy S.S.P.A. Power (B)  
 Deputy S. Pitman (H)  
 Deputy K.C. Lewis (S)  
 Deputy of St. John  
 Deputy A.E. Jeune (B)  
 Deputy of St. Mary  
 Deputy E.J. Noel (L)  
 Deputy T.A. Vallois (S)  
 Deputy M.R. Higgins (H)  
 Deputy A.K.F. Green (H)  
 Deputy D.J. De Sousa (H)  
 Deputy J.M. Maçon (S)

**CONTRE: 2**

Deputy G.P. Southern (H)  
 Deputy M. Tadier (B)

**ABSTAIN: 1**

Deputy T.M. Pitman (H)

THE STATES, adopting an amendment of the Minister for Planning and Environment (Amendment (50)), agreed that after the words “the revised draft Island Plan 2011” there should be inserted the words –

1. “except that in the section on Category A housing sites, for paragraph 6.96 (page 244) there should be substituted the following words and footnote –

6.96 The use of States-owned land to help meet the need for affordable homes is identified as a clear policy objective of the States of Jersey Development Company<sup>(1)</sup>. Five States-owned sites, within the Built-up Area, have been identified as having the potential to contribute – at least 150 homes – towards the clear and immediate need for affordable homes in the early part of the Plan period: other may emerge as States departments and Jersey Property Holdings review property portfolios. The extent to which all or some of these States-owned sites contribute to this need will be determined, through agreement, between the respective Ministers, and set out in supplementary planning guidance.

6.97 Some of these States-owned sites presently remain in active use and the timing of their release, and their potential to contribute towards the need for affordable homes, cannot be definitively known at this time. To ensure the deliverability of homes to meet the need for affordable homes that is evident now, the release of States-owned land for this purpose and the approval of development proposals for new homes, will be subject to specific targets and timescales which, if not realised, will trigger a review of the Island Plan. Any such review will include proposals to rezone alternative development sites that are capable of delivering affordable homes, that would otherwise have been provided on States-owned land, and which accord with the spatial strategy of the Island Plan: these include Samarès Nursery, La Grande Route de St. Clement; Longueville Nurseries, New York Lane, St Saviour; and Field 252A and Field 252B (Le Quesne Nursery), La Rue de Jambart, St. Clement.

<sup>(1)</sup> See statements of the Minister for Treasury and Resources during debate on P.32/2011 (07 June 2011).’ ”

and subsequent paragraphs and footnotes be renumbered accordingly:

2. “except that after the penultimate paragraph of Policy H1 – Category A housing sites (pages 246–7) after the words, ‘meeting the need for affordable homes’ there should be inserted the following words –

‘The provision of affordable homes on the States owned sites above will be monitored. In the event of either of the following not being met:

- (a) planning applications for 150 affordable homes on States owned land being made within 12 months of the adoption of this Plan;
- (b) planning permission for 150 affordable homes being granted and the sites released within 24 months of the adoption of this Plan;

the Plan will immediately be reviewed to provide for the development of a minimum of 150 affordable homes on some or all of the following sites: Samarès Nursery, La Grande Route de St. Clement; Longueville Nurseries, New York Lane, St. Saviour; and Field 252A and Field 252B (Le Quesne Nursery), La Rue de Jambart, St. Clement.’ ”.

Members present voted as follows –

**POUR: 37**

Senator P.F.C. Ozouf  
 Senator T.J. Le Main  
 Senator F.E. Cohen  
 Senator J.L. Perchard  
 Senator A. Breckon  
 Senator S.C. Ferguson  
 Senator A.J.H. Maclean  
 Senator B.I. Le Marquand  
 Senator F. du H. Le Gresley  
 Connétable of Grouville  
 Connétable of St. Brelade  
 Connétable of St. John  
 Connétable of St. Saviour  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Deputy R.C. Duhamel (S)  
 Deputy of St. Martin  
 Deputy R.G. Le Hérissier (S)  
 Deputy J.B. Fox (H)  
 Deputy G.P. Southern (H)  
 Deputy of St. Ouen  
 Deputy of St. Peter  
 Deputy J.A. Hilton (H)  
 Deputy P.V.F. Le Claire (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy S.S.P.A. Power (B)  
 Deputy K.C. Lewis (S)  
 Deputy of St. John  
 Deputy A.E. Jeune (B)  
 Deputy E.J. Noel (L)  
 Deputy T.A. Vallois (S)  
 Deputy M.R. Higgins (H)  
 Deputy A.K.F. Green (H)  
 Deputy D.J. De Sousa (H)  
 Deputy J.M. Maçon (S)

**CONTRE: 1**

Deputy M. Tadier (B)

**ABSTAIN: 0**

Following the adoption of the amendment of the Minister for Planning and Environment (Amendment (50)) the Bailiff informed the Assembly that the amendment of Deputy Deborah Jane De Sousa of St. Helier (Amendment (35)) was deemed to have been withdrawn.

**Arrangement of business for the present meeting**

THE STATES rejected a proposition of Deputy Roy George Le Hérissier of St. Saviour that the continuation meetings should be held from 9.30 a.m. until 5.30 p.m. with a one hour adjournment for lunch.



Members present voted as follows –

**POUR: 11**

Connétable of Grouville  
 Deputy of St. Martin  
 Deputy R.G. Le Hérisier (S)  
 Deputy J.B. Fox (H)  
 Deputy G.P. Southern (H)  
 Deputy of St. Peter  
 Deputy P.V.F. Le Claire (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy S.S.P.A. Power (B)  
 Deputy M. Tadier (B)  
 Deputy T.A. Vallois (S)

**CONTRE: 24**

Senator P.F.C. Ozouf  
 Senator T.J. Le Main  
 Senator F.E. Cohen  
 Senator A. Breckon  
 Senator S.C. Ferguson  
 Senator A.J.H. Maclean  
 Senator B.I. Le Marquand  
 Senator F. du H. Le Gresley  
 Connétable of St. Brelade  
 Connétable of St. John  
 Connétable of St. Saviour  
 Connétable of St. Clement  
 Connétable of St. Lawrence  
 Deputy R.C. Duhamel (S)  
 Deputy of St. Ouen  
 Deputy J.A. Hilton (H)  
 Deputy K.C. Lewis (S)  
 Deputy of St. John  
 Deputy A.E. Jeune (B)  
 Deputy of St. Mary  
 Deputy E.J. Noel (L)  
 Deputy A.K.F. Green (H)  
 Deputy D.J. De Sousa (H)  
 Deputy J.M. Maçon (S)

**ABSTAIN: 0**

THE STATES, adopting a proposition of Senator Philip Francis Cyril Ozouf, agreed to continue to meet from 9.00 a.m. until 6.00 p.m. for the duration of the continuation meetings.

THE STATES, adopting a proposition of Deputy Angela Elizabeth Jeune of St. Brelade, agreed to adjourn at 5.00 p.m. on Wednesday 29th June 2011.

**Adjournment**

THE STATES adjourned, having agreed to reconvene on Tuesday 28th June 2011 at 9.30 a.m. to resume consideration of the proposition of the Minister for Planning and Environment entitled 'Island Plan 2011: approval' (P.48/2011) and the outstanding items of public business

THE STATES rose at 6.14 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*