

STATES OF JERSEY ORDER PAPER

Tuesday, 13th March 2001

A. COMMUNICATIONS BY THE BAILIFF

Interception of Communications (Jersey) Law 1993: report of the Commissioner for 2000. R.C. 12/2001.

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Road and Sand Racing (Jersey) Order 2001. R & O 33/2001

Home Affairs Committee

Road Racing (Hill Climbs and Sprint) (Jersey) Order 2001. R & O 34/2001

Home Affairs Committee

Diseases of Animals (Foot and Mouth - Restrictions) (Jersey) Order 2001. R & O 35/2001

Agriculture and Fisheries Committee

Diseases of Animals (Foot and Mouth - Restrictions No. 2) (Jersey) Order 2001. R & O 36/2001

Agriculture and Fisheries Committee

Diseases of Animals (Foot and Mouth - Restrictions No. 3) (Jersey) Order 2001. R & O 37/2001

Agriculture and Fisheries Committee

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

D. PRESENTATION OF PAPERS

(a) Papers for information

Matters presented under Standing Order 6A(1)(a)

Public Lotteries: report for 2000

R.C.11/2001

Gambling Control Committee

Matters presented under Standing Order 6A(1)(b)

Presented on 20th February 2001

Administrative Decisions (Review) (Jersey) Law 1982, as amended: report of the Administrative Appeals Panel regarding complaints received between 1st January and 31st December 2000
R.C.10/2001

Special Committee to consider the relationship between Committees and the States

Presented on 6th March 2001

Draft Public Holidays and Bank Holidays (Jersey) Act 200- (P.27/2001): comments
P.27/2001

Finance and Economics Committee

Com.

(b) Notification of Standing Order decisions

26th February and 5th March 2001

Decisions under delegated functions.

Finance and Economics Committee

(c) Notification of acceptance of tenders

Grouville School extension and remodelling
Education Committee

(d) Papers to be lodged “au Greffe” under Standing Order 17A(1)(a)

Ann Alice Rayner Fund: objects, purpose and administration. P.38/2001
Finance and Economics Committee

Draft Financial Services Commission (Amendment No. 3) (Jersey) Law 200. P.39/2001
Finance and Economics Committee

Draft Aerodromes (Amendment No. 5) (Jersey) Regulations 200 P.40/2001
Harbours and Airport Committee

Parish Rates Review P.41/2001
Legislation Committee

(e) Notification of Papers lodged “au Greffe” under Standing Order 17A(1)(b)

Lodged on 20th February 2001

Draft Companies (Amendment No. 6) (Jersey) Law 200- P.29/2001
Finance and Economics Committee

Lodged on 27th February 2001

Draft Housing (Amendment No. 15) (Jersey) Regulations 200- P.30/2001
Housing Committee

Lodged on 6th March 2001

Draft Unlawful Public Entertainments (Jersey) Regulations 200- P.31/2001
Home Affairs Committee

Draft Petroleum (Jersey) Law 1984 (Appointed Day) Act 200- P.32/2001
Home Affairs Committee

Draft Currency Offences (Amendment) (Jersey) Law 200- P.33/2001
Finance and Economics Committee Re-issue

Projet de Règlements (200-) sur l’Etat Civil P.34/2001
Comité d’Etat Civil (re-issue)

Overdale Assessment and Rehabilitation Unit: approval of drawings. P.35/2001
Health and Social Services Committee (re-issue)

Commissioners of Appeal for Income Tax: re-appointment. P.36/2001
Finance and Economics Committee (re-issue)

Projet de Loi (200-) (Amendement No. 9) réglant la procédure criminelle P.37/2001
Député G.C.L. Baudains de St. Clément

(f) Papers for consideration by the States in Committee under Standing Order 38A

E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING

THE STATES are asked to agree that the following matters lodged “au Greffe” will be considered at the next meeting on 27th March 2001 -

Draft Criminal Justice (International Co-operation) (Jersey) Law 200-
P.21/2001

Lodged: 13th February 2001
Finance and Economics Committee

Draft Housing (Amendment No. 15) (Jersey) Regulations 200-. P.30/2001

Lodged 27th February 2001
Housing Committee

Draft Unlawful Public Entertainments (Jersey) Regulations 200-. P.31/2001

Lodged: 6th March 2001
Home Affairs Committee

Draft Petroleum (Jersey) Law 1984 (Appointed Day) Act 200-. P.32/2001

Lodged: 6th March 2001
Home Affairs Committee

Draft Currency Offences (Amendment) (Jersey) Law 200-. P.33/2001

Lodged: 6th March 2001 (re-issue)
Finance and Economics Committee

Projet de Règlements (200-) sur l'Etat Civil. P.34/2001

Logé au Greffe le 6 mars 2001 (re-issue)
Comité d'Etat Civil

Overdale Assessment and Rehabilitation Unit: approval of drawings. P.35/2001

Lodged: 6th March 2001 (re-issue)
Health and Social Services Committee

Commissioners of Appeal for Income Tax: re-appointment. P.36/2001

Lodged: 6th March 2001 (re-issue)
Finance and Economics Committee

Ann Alice Rayner Fund: objects, purpose and administration. P.38/2001

Lodged: 13th March 2001
Finance and Economics Committee

Draft Financial Services Commission (Amendment No. 3) (Jersey) Law 200-. P.39/2001

Lodged: 13th March 2001
Finance and Economics Committee

Draft Aerodromes (Amendment No. 5) (Jersey) Regulations 200 P.40/2001

Lodged: 13th March 2001
Harbours and Airport Committee

THE STATES are asked to note that Deputy R.G. Le Hérisier of St. Saviour will seek leave to withdraw the proposition regarding States members income support and expense allowance: annual increases (P.57/2000 lodged "au Greffe" on 18th April 2000).

THE STATES are asked to note that Senator P.V.F. Le Claire will seek leave to withdraw the proposition regarding Social Security registration cards: proof of identity (P.113/2000 lodged "au Greffe" on 4th July 2000).

F. PRESENTATION OF PETITIONS

G. QUESTIONS

The Deputy of St. Martin will ask a question of the President of the Committee for Postal Administration regarding the timetable for incorporation of Jersey Post.

The Deputy of St. John will ask questions of the President of the Agriculture and Fisheries Committee regarding John's Disease.

The Deputy of St. John will ask the President of the Public Services Committee questions regarding the number of spills from the cavern outfall.

The Deputy of St. John will ask the President of the Public Services Committee questions regarding new taxi and cat legislation.

Deputy A.S. Crowcroft of St. Helier will ask a question of the President of the Home Affairs Committee regarding the introduction of compulsory testing for vehicles.

Deputy A.S. Crowcroft of St. Helier will ask a question of the President of the Housing Committee regarding the policy regarding applications from property owners, especially those in the town area.

Senator S. Syvret will ask a question of the Attorney General regarding the nature and scale of the legal and constitutional issues involved in giving effect to the recommendations currently under consideration for the review of the machinery of government.

Deputy G.C.L. Baudains of St. Clement will ask questions of the President of the Finance and Economics Committee regarding the Jersey Heritage Trust.

Deputy G.C.L. Baudains of St. Clement will ask questions of the President of the Planning and Environment Committee regarding the 'German Room' at Mont Orgueil Castle.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Referendums: Creation of a Legislative Framework. P.188/2000
Lodged: 7th November 2000
Deputy P.N. Troy of St. Brelade

Morier House, Halkett Place: assignment of rights and obligations of funding arrangement. P.4/2001
Lodged: 16th January 2001
Planning and Environment Committee

Morier House, Halkett Place: assignment of rights and obligations of funding arrangement (P.4/2001):
comments. P.4/2001
Presented: 13th February 2001 Com.
Finance and Economics Committee

Site of the former Fine Gems and Craft Centre, La Route du Ouest, St. Ouen. P.12/2001
Lodged: 30th January 2001
Planning and Environment Committee

Site of the former Fine Gems and Craft Centre, La Route du Ouest, St. Ouen (P.12/2001):
comments. P.12/2001

Presented: 13th February 2001

Com.

Finance and Economics Committee

Draft Health Insurance (Medical Benefit) (Amendment No. 53) (Jersey) Regulations 200-
P.20/2001

Lodged: 13th February 2001

Employment and Social Security Committee

Sandybrook, St. Peter: Phase III redevelopment - approval of drawings. P.22/2001

Lodged: 13th February 2001

Housing Committee

Bequest of the late Mr. H.E. Le Seilleur: request for *ex gratia* payment. P.23/2001

Lodged: 13th February 2001

Health and Social Services Committee

Tourism administered cafés: transfer of administration. P.24/2001

Lodged: 13th February 2001

Tourism Committee

Draft Public Holiday and Bank Holidays (Jersey) Act 200-. P.27/2001

Lodged: 13th February 2001.

Legislation Committee

Draft Public Holidays and Bank Holidays (Jersey) Act 200- (P.27/2001): comments. P.27/2001

Presented: 6th March 2001

Com.

Finance and Economics Committee

Draft Harbours (Amendment No. 32) (Jersey) Regulations 200-. P.28/2001

Lodged: 13th February 2001.

Harbours and Airport Committee

C.M. NEWCOMBE

Greffier of the States

8th March 2001

**Explanatory Note regarding subordinate legislation
tabled at this Meeting**

(See Item B)

R & O 33/2001

This Order authorizes the Jersey Motor Cycle and Light Car Club to hold motor races on roads and beaches comprising the Bouley Bay course, the Five Mile Road course, the Millbrook course, the St. Ouen's Bay course and the West Park course on various days during 2001.

The dates and times at which the roads and beaches may be closed and used for those purposes are specified in the Order.

The Order was made by the Home Affairs Committee on 23rd February 2001, under the Motor Vehicle Races (Jersey) Law 1946.

R & O 34/2001

The effect of this Order is to allow the Jersey Old Motor Club to close and use the following roads in St. Helier for motor races (including practice) on the dates and between the times shown -

- (a) parts of Pier Road, Mount Bingham, South Hill, Fort Regent Road and the car parks at South Hill and La Collette Gardens, between 10.00 a.m. and 5 p.m. on 10th June 2001;
- (b) part of Westmount Road, on 9th June 2001 between 9.00 a.m. and 5.00 p.m.; and
- (c) part of Victoria Avenue and one of the adjoining lay-bys on 8th June 2001 between 7 p.m. and midnight.

The Order was made by the Home Affairs Committee on 23rd February 2001.

R & O 35/2001

The purpose of this Order is to prohibit the importation of certain animals and animal products, and to impose certain other restrictions to protect Jersey from foot-and-mouth disease.

The penalty for an offence under this Order is £5000.

The Order was made on 23rd February 2001 and came into force forthwith.

R & O 36/2001

The purpose of this Order is to prohibit the importation of dogs to protect Jersey from foot-and mouth disease. A very limited exemption applies to dogs owned by residents.

The Order was made on 27th February 2001 and came into force forthwith.

R & O 37/2001

The purpose of this Order is to restrict the movement of dogs on the Island during the present outbreak of foot-and-mouth disease.

A person who disregards the Order may incur a fine of up to £5000.

The Order was made on 1st March 2001 and came into force forthwith.

**NOTIFICATION OF STANDING ORDER DECISIONS -
FINANCE AND ECONOMICS COMMITTEE
(delegated functions)**

26th February 2001

- (a) as recommended by the Public Services Committee, the purchase from Royal London Asset Management Limited of a strip of land (measuring 200 square feet) outside No. 11 Union Street, St. Helier, for the sum of £200 (representing a rate of £1 a square foot), with the public being responsible for the reasonable costs of the vendor in relation to the transaction;
- (b) as recommended by the Public Services Committee, the sale to Messrs. Guy Clifford Dunell, Desmond Albert Pinel and Winston Clifford Pinel of an area of land (measuring 465 square feet) to the north of Beaumont Pumping Station St. Peter, for a consideration of £12,000, subject to the imposition of a restrictive covenant restricting the use of the site for access and egress purposes in conjunction with the two adjoining properties, Beira and Olga Villa, thereby preventing its development and its independent sale for whatever purpose, on the basis that each party would be responsible for its own legal costs arising from the transaction;
- (c) as recommended by the Public Services Committee, the purchase from Mr. James Simon of an area of land (measuring 3,175 square feet) in Field No. 246A, St. Peter, adjacent to the junction of La Route du Port and La Rue de la Meï required for the construction of a new pumping station, for the sum of £3,175 (representing a rate of £1 a square foot), with the public being responsible for all reasonable legal costs arising from the transaction;
- (d) as recommended by the Education Committee, the purchase from the Crown of an area of land (measuring 11,355 square feet) with vacant possession adjacent to La Moye School, St. Brelade, for a consideration of £11,355 (representing a rate of £1 a square foot); and the purchase, subject to the approval of the Royal Court, of an area of land (measuring 5,920 square feet) currently administered by the Tenants de la Commune de la Moie, St. Brelade for a consideration of £4,144, subject to the terms and conditions as agreed by the Planning and Environment Committee and with the public being responsible for all reasonable legal fees involved in the transaction. (The Committee accordingly rescinded its Act No. A1 of 26th June 2000);
- (e) as recommended by the Health and Social Services Committee, the lease from Mr. Aidan James Smith and Mrs. Judith Brenda Mary Smith, née Cummins, of the (j) category property known as Miltonia, Old St. John's Road, St. Helier, for a period of three years from 15th December 2000, at a commencing annual rent of £15,600 to be revised annually in line with the Jersey Retail Price Index, on the basis that each party will be responsible for its own legal costs arising from this transaction;
- (f) as recommended by the Health and Social Services Committee, the lease from Mr. Bertram Payn, on an internal repairing lease basis of the property known as No. 6 Beachside, La Rue du Pont, Grouville, for a period of five years from 9th December 2000, with an option to renew for a further two-year period, at a commencing annual rent of £16,500, payable quarterly in advance, the rent to be subject to review in line with the Jersey Retail Price Index as at 9th December 2002 and 9th December 2004, on the basis that each party would be responsible for its own legal costs arising from this transaction;
- (g) as recommended by the Telecommunications Board, the entering into a Deed of Arrangement with Antler Properties CI Limited in order to clarify a boundary between the former telecommunications repeater station at Trinity Gardens, St. Helier and the site of the former St. Mark's Vicarage, Springfield Road, St. Helier, with the public having rights of access for maintenance purposes onto the site of St. Mark's Vicarage to the south subject to two week's notice except in the case of emergencies, on the basis that Antler Properties CI Limited will be responsible for all legal costs arising from this transaction;
- (h) as recommended by the Harbours and Airport Committee, the renewal of the lease to JCS Yachting (1992) Limited of office accommodation (N18A - measuring 490 square feet) for a further period of three years from 25th November 2000, at a total annual rent of £8,712.36 (representing a rate of £17.78 a square foot), on the same terms and conditions as before, subject to annual review in line with the Jersey Retail Price Index;
- (i) as recommended by the Harbours and Airport Committee, the lease to Huelin Renouf Airfreight Limited of a warehousing bay (Letting B119 - measuring a total of 1,440 square feet) in the Freight Building at Jersey Airport, for a period of three years from 1st January 2001 at an annual rent of £7,905.60 (representing a rate of £5.49 a square foot) subject to annual review;

- (j) as recommended by the Harbours and Airport Committee, an addendum to the existing lease to British European of Gate Lounge 10 at Jersey Airport, to lease an additional 400 square feet within the area adjacent to Gate Lounge 10, at a nominal amount of £10 for the period from the completion date of the extension works to 31st May 2001 and, thereafter, at an annual rent in line with terms and conditions of the existing lease (currently at a rate of £24.01 a square foot, which would represent an annual rent of £9,604), subject to annual review on 1st June each year until the termination of the main lease on 31st May 2005;
- (k) as recommended by the Harbours and Airport Committee, the lease to Spellbound Holdings Limited of office accommodation (Letting B004A - measuring 910 square feet) on the ground floor of Alares House, Jersey Airport, for a period of three years from 1st January 2001 at an annual rent of £12,558.00 (representing a rate of £13.80 a square foot), subject to annual review on 1st January 2002 in line with the Jersey Retail Price Index;

5th March 2001

- (l) as recommended by the Public Services Committee, a Deed of Arrangement with Mr. Peter John D'Authreau, owner of Neuchatel, La Grande Route de St. Jean, St. Helier, in order to confirm the boundary between that property and Warwick Farm, on the basis of terms and conditions negotiated by the Department of Property Services, and with each party being responsible for its own legal costs arising from this transaction;
- (m) as recommended by the Housing Committee, a 99-year Wayleave agreement with the Jersey Electricity Company Limited in respect of Nos. 3-7 Wesley Street, St. Helier, to allow for the laying of two high-voltage electricity cables across land in the ownership of the public, subject to the terms and conditions set out in a report by the Department of Property Services, dated 8th August 2000, at a one-off cost of £99, on the basis of the company being responsible for both parties' legal costs arising from this transaction;
- (n) as recommended by the Telecommunications Board, a 99-year lease from the Parish of St. Saviour of an area of land (measuring approximately 325 square feet) at the Parish's Depot, Rue des Pres Trading Estate, St. Saviour, for use as a Cab Room to house electronic equipment, at an annual rent of £1 a square foot and, in lieu of any capital payment, the construction by the Board of three blockwork storage pens adjacent to the distribution room at a cost of approximately £10,000, together with the provision of a car compound and enhanced landscaping, on the basis that the Board would be responsible for both parties' reasonable legal costs arising from this transaction.

**NOTIFICATION OF ACCEPTANCE OF TENDER UNDER RULE 5 OF THE PUBLIC FINANCES
(GENERAL) (JERSEY) RULES 1967, AS AMENDED -
FINANCE AND ECONOMICS COMMITTEE**

26th February 2001

The Education Committee has, by Act dated 17th January 2001, accepted the lowest alternative tender received for Phase 2 of the extension and remodelling of Grouville School, namely that submitted by Hacquoil and Cook Limited in the sum of £1,450,569.00, for a contract period of 63 weeks.

The other tenders received were as follows -

Contractor	Tender period	Amount
Camerons Building Contractors	68 weeks	£1,492,315.36
Stansell (QVC) Limited	69 weeks	£1,639,173.00

QUESTION PAPER

(See Item G)

The Deputy of St. Martin will ask the following question of the President of the Committee for Postal Administration -

- “(a) Would the President advise members of the timetable for incorporation of Jersey Post and whether this timetable is on target?
- (b) If the timetable is not on target, would the President outline the reasons for the delay and the steps that are being taken to address it?”

The Deputy of St. John will ask the following questions of the President of the Agriculture and Fisheries Committee -

“1. Would the President explain to members -

- (a) if Johne’s Disease at the onset is considered to be a notifiable disease in dairy cattle, and if the answer is in the negative, would he explain why not?
 - (b) if there is a regulator in the Department of Agriculture and Fisheries that inspects farms to ensure that regulations pertaining to dairy units are enforced?
2. In other countries it is estimated that roughly between 2.6 per cent and 10 per cent of dairy cattle are infected with Johne’s Disease. Would the President indicate what percentage of Jersey cattle are infected, and if this statistic is not available, would he undertake to have all herds tested in order to see what percentage of Jersey cattle have this disease?
3. Given that slurry contaminated with Johne’s Disease bacteria from infected herds can be spread on land and can survive for up to 12 months in ground and in water and is resistant to heat, cold and dry conditions, what steps are being taken by the Committee to ensure that wells and boreholes in areas of slurry spreading do not become contaminated with this bacteria?
4. Would the President -
- (a) confirm that there is an established policy for animal slaughter under the BSE culling arrangements;
 - (b) give members full details of the payment formula;
 - (c) confirm or otherwise that all animals for which compensation is paid qualify under the BSE payment policy;
 - (d) advise whether farmers would qualify for payment under the same policy in respect of cattle culled due to Johne’s Disease?”

The Deputy of St. John will ask the will ask the following questions of the President of the Public Services Committee -

- “1. Would the President advise members how many spills from the cavern outfall have occurred during heavy rainfall since January 2000?
2. In a recent spill in January 2001 from the cavern outfall, sewerage waste was washed into La Collette yacht basin, causing obvious pollution of this area. What action does the Committee take to have unsightly mess cleaned up following such incidents?
3. Would the President explain the procedures for prosecuting polluters, and in particular -
- (a) could the President describe the procedures either in place or that would be necessary should the Committee itself be suspected of being a polluter arising from overflows from the cavern; and

- (b) do such procedures present the Committee with any issues of conflict of interest?
4. With much heavy rainfall over recent winters, what action is the Committee taking to try and help the many families with soakaway problems and will the President bring to the Assembly a revised programme to extend main drains and apply for extra funding to re-instate the sewer extension programme?"

The Deputy of St. John will ask the following question of the President of the Public Services Committee -

"Would the President give members a date when the Public Services Committee will bring the new taxi and cab legislation to the States for debate?"

Deputy Alan Simon Crowcroft of St. Helier will ask the following question of the President of the Home Affairs Committee -

"In the Sustainable Island Transport Policy approved by the States in June 2000, it was stated that 'Significant improvements will be made in the Island's air quality when the testing of vehicles' emissions is introduced'. The Automobile Association has shown that 50 per cent of carbon monoxide emissions come from the ten per cent of vehicles which have the most poorly adjusted engines. Would the President outline the Committee's views on the merits of introducing compulsory vehicle testing in Jersey?"

Deputy Alan Simon Crowcroft of St. Helier will ask the following questions of the President of the Housing Committee -

1. Would the President explain the Committee's policy regarding applications from property owners, especially those in the town area, who wish to restore units of accommodation previously separated from the main residence, into the family home?
2. Does the Committee support the creation of new three-bedroom family homes within the urban area, including apartments provided with sufficient amenity space both inside and outside the buildings?
3. Will the forthcoming Housing Strategy include measures to enhance the quality of life of families living in town, and, if so, would the President indicate what these measures will be?"

Senator Stuart Syvret will ask the following question of the Attorney General -

"A number of changes to the Island's machinery of government have been suggested, amongst the most significant of which are the abandonment of the Committee system, the introduction of an executive or cabinet system, the creation of a chief Minister with significant powers, the creation of a Public Accounts Committee with the power to control States expenditure, the complete restructuring of public administration and the creation of seven departments or ministries, the creation of Scrutiny Committees, the removal of the Constables from the States unless elected as Deputies, the scrapping of the Senatorial position and the accompanying Island-wide mandate, the establishment of an Electoral Commission, and the creation of an Ombudsman.

Would the Attorney General provide for the Assembly a general assessment of the nature and scale of the legal and constitutional issues involved in giving effect to such changes and would he include in his answer -

- (a) an estimate of the number of laws that would need to be identified, assessed and possibly amended as a consequence of such changes?
- (b) an estimate of the number and length of new laws required to give effect to the proposed changes?
- (c) a description of the procedure that should normally be followed for the development and introduction of good and reliable legislation?
- (d) an estimate of the average period of time taken to introduce substantive new legislation from inception to promulgation?
- (e) an estimate of the time needed to give considered and responsible legal effect to the replacement of the Island's existing machinery of government?"

Deputy Gerard Clifford Baudains of St. Clement will ask the following questions of the President of the Finance and Economics Committee -

- “1. With regard to the Ancient Monument Fund, would the President advise -
 - (a) the balance when handed over to the Jersey Heritage Trust?
 - (b) the balance each year to date?
 - (c) in the event that the balance is materially smaller than when handed over, what major items it has been spent on?
2. Would the President confirm that a confidential letter sent to him by the Gardien of Mont Orgueil Castle was passed on to the Director of the Jersey Museum Service against the wishes of the author?”

Deputy Gerard Clifford Baudains of St. Clement will ask the following questions of the President of the Planning and Environment Committee -

“In answering question 1 of The Deputy of St. Martin’s questions on 13th February about Mont Orgueil Castle, the President stated, in reference to the work in the ‘German Room’, that “The work involved the renewal of existing worn out services” and “No formal application was requested for this work and no formal permit was given”.

1. Would the President -
 - (a) confirm that, whilst an electricity cable did supply the castle in other areas, there was previously no cable in this particular area, and certainly no water or drainage services anywhere near this part of the castle, and
 - (b) as a result reconsider his statement that the work involved was the renewal of existing services, and
 - (c) state whether a permit would normally be required for installing new services of this type, and, if so, what action will he be taking against the Trust for non application for a permit?
2. With regard to question 1(c), the President answered that “This material is now held in the archaeological museum at La Hougue Bie”. In view of the fact that -
 - (a) such removal would be in contravention of Article 5 of the Granada Convention (to which we are a party) and
 - (b) I am advised by the Société Jersiaise that the material has in fact been put in the fireplace, by the doorway and possibly thrown over Peyton’s bastion,

would the President agree that his answer was incorrect?
3.
 - (a) would the President confirm that the brick hut with a concrete base, recently build beside the old stables, was contained within a permit for the cable laid from the main road to the first gate, and was classified as temporary?
 - (b) if the answer to (a) is in the affirmative, would the President advise when it will be removed?
 - (c) if the answer to (a) is in the negative, would he state whether such construction normally requires permission and, if so, details of the permit issued?
4. Was the President aware that the vaulted brick bridge inside the First Gate has been demolished by the Jersey Heritage Trust, and would he -
 - (a) state whether permission would normally be required for such demolition and,
 - (b) if the answer to (a) is in the affirmative, give details of the permission granted.

5. Would the President -

- (a) confirm that the demolition mentioned in question 4 was in contravention of Article 5 of the Granada Convention and,
- (b) if the answer to (a) is in the affirmative, advise Members what he intends to do under Article 9, where “Each Party undertakes to ensure within the power available to it that infringements of the Law protecting the architectural heritage are met with a relevant and adequate response by the competent authority”.

6. The Valletta Convention, to which Jersey became a party on 19th September 2000, states, under Article 3(i), that we are required to “... Undertake to apply procedures for the authorisation and supervision of excavation ...” and, under Article 3(ii), “that excavations and other potentially destructive techniques are carried out only by qualified, specially authorised persons”.

Would the President -

- (a) comment on the allegations that the trench cut through the Postern Gate, the channel cut across the ‘German Room’ wall, the trench cut across the ‘Tudor Hall’ floor, the trench leading from the Grand Battery and the pit dug in the south west corner of Peyton’s Ramparts, were, amongst other works, carried out without the required archaeological supervision?
- (b) specify the qualifications possessed by the workmen who carried out these works?

7. Would the President assure Members, in order to allay fears of conflicts of interest, that officers in the Department dealing with supervision or regulatory matters concerning the Castles have no connection with the Jersey Heritage Trust?”

STATES MEMBERS LUNCHEON

Halkett Room, Morier House.

I will require lunch at today's meeting.

Signed.....

Name.....

Please hand this slip to an usher before 10.00 a.m. today