

STATES OF JERSEY ORDER PAPER

Tuesday 10th December 2002

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Pilotage (Dues and Fees) (Jersey) Order 2002. R&O 154/2002.

Harbours and Airport Committee.

Income Tax (Actuarial Equivalents) (Jersey) Order 2002. R&O 157/2002.

Finance and Economics Committee.

Excise Duty (Relief and Drawback) (Amendment) (Jersey) Order 2002. R&O 158/2002.

Finance and Economics Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

D. PRESENTATION OF PAPERS

(a) Papers for information

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

Jersey Law Commission: report for 2001. R.C.49/2002.
Legislation Committee.

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

(b) Notification of Standing Order decisions

29th November 2002

Decisions under delegated functions.
Finance and Economics Committee.

(c) Notification of acceptance of tenders

29th November 2002

Bellozanne Sewerage Treatment Works - Ultra Violet Treatment Plant upgrade.
Public Services Committee.

Crematorium, Westmount, St. Helier - replacement cremators.
Health and Social Services Committee.

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

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

(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

In accordance with Standing Order 22(3) the President of the Planning and Environment Committee has instructed the Greffier of the States to withdraw the draft Planning and Building (Amendment) (Jersey) Law 200- (P.56/2002 lodged “au Greffe” on 23rd April 2002).

F. PRESENTATION OF PETITIONS

G. QUESTIONS

The Deputy of St. John will ask a question of the President of the Agriculture and Fisheries Committee regarding the production of organic milk.

Deputy R.G. Le Hérisier of St. Saviour will ask a question of the President of the Harbours and Airport Committee regarding the accident involving the Customs Rigid Inflatable Boat (RIB).

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Finance and Economics Committee regarding the allocation of funds from the Tourism Investment Fund in respect of the redevelopment of Mont Orgueil Castle.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Le Talus, La Rue du Nord, St. John, sale of land, and at Fremont Headland, St. John, acquisition of land.
Lodged: 5th November 2002.
Public Services Committee.

P.200/2002.

Le Talus, La Rue du Nord, St. John, sale of land and Fremont Headland, St. John: acquisition of land (P.200/2002) - comments.
Presented: 3rd December 2002.
Finance and Economics Committee.

P.200/2002.
Com.

Le Chemin du Douet, St. Ouen: acquisition of track.
Lodged: 19th November 2002.
Public Services Committee.

P.214/2002.

Le Chemin du Douet, St. Ouen: acquisition of track (P.214/2002) - comments.
Presented : 3rd December 2002.
Finance and Economics Committee.

P.214/2002.
Com.

Election of Committee Presidents.
Lodged: 19th November 2002.
Privileges and Procedures Committee.

P.215/2002.

Draft Health Insurance (Medical Benefit) (Amendment No. 57) (Jersey) Regulations 200-.
Lodged: 19th November 2002.
Employment and Social Security Committee.

P.216/2002.

Draft Family Allowances (Jersey) Regulations 200-.
Lodged: 19th November 2002.
Employment and Social Security Committee.

P.217/2002.

Draft Public Employees (Contributory Retirement Scheme) (Amendment No. 17) (Jersey) Regulations 200-.
Lodged: 26th November 2002.
Human Resources Committee.

P.224/2002.

Draft Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 6) (Jersey) Regulations 200-.
Lodged: 26th November 2002.
Human Resources Committee.

P.225/2002.

Draft Public Employees (Contributory Retirement Scheme) (Former Hospital Scheme) (Amendment No. 4) (Jersey) Regulations 200-. Lodged: 26th November 2002. <i>Human Resources Committee.</i>	P.226/2002.
Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 8) (Jersey) Regulations 200-. Lodged: 26th November 2002. <i>Human Resources Committee.</i>	P.227/2002.
Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 8) (Jersey) Regulations 200-. Lodged: 26th November 2002. <i>Human Resources Committee.</i>	P.228/2002.
Draft Social Security (Amendment No. 15) (Jersey) Law 2002 (Appointed Day) Act 2002. Lodged: 26th November 2002. <i>Employment and Social Security Committee.</i>	P.229/2002.
Draft Boats and Surf-Riding (Control) (Amendment No. 24) (Jersey) Regulations 200-. Lodged: 26th November 2002. <i>Harbours and Airport Committee.</i>	P.231/2002.

Draft Harbours (Amendment No. 35)
(Jersey) Regulations 200-
Lodged: 26th November 2002.
Harbours and Airport Committee.

P.232/2002.

M.N. DE LA HAYE

Greffier of the States

5th December 2002

Explanatory Note regarding subordinate legislation tabled at this meeting.

R&O 154/2002

The purpose of this Order is to increase pilotage dues by an average of 4.2%.

The Order was made on 4th December 2002 and comes into force on 1st January 2003.

R&O 157/2002

This Order prescribes the manner in which income is to be valued for the purpose of determining an individual's entitlement to minimum retirement income and, where an approved trust is to be established, the amount of securities required to be purchased to secure minimum retirement income.

The Order was made on 5th December 2002 and comes into force on 1st January 2003.

R&O 158/2002

The purpose of this Order is to provide relief from vehicle registration duty in respect of vehicles over 25 years old, constructed or substantially and permanently adapted to be driven by or to carry disabled persons or registered in the Island following the owner's change of residence.

The Order was made on 5th December 2002 and comes into force on 1st January 2003.

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

26th November 2002

- (a) as recommended by the Housing Committee, the sale to Mr. David Dorgan and Mrs. Patricia Joan Dorgan, née Feltham (owners of Dale Cottage, No. 106 St. Saviour's Road, St. Helier), an area of land (measuring 50 square metres) adjacent to Dale Cottage, for a consideration of £7,500. The area of land being sold was always to form part of Dale Cottage and should never be sold off separately. The land was to be used for parking and garage facilities which might be constructed thereon subject to planning approval. In exchange for the land, the owners would give up all their access rights across the road of unknown ownership and unknown name and would be granted new rights of access and egress across public land, in order to have access to the public highway known as La Rue Le Masurier. Each party would be responsible for its own legal costs in relation to this transaction;
- (b) as recommended by the Agriculture and Fisheries Committee, the lease to the Jersey Electricity Company Limited of an area of land (measuring 3,079 square feet, as shown on Drawing No. P.565 02) at the States Abattoir, La Collette, St. Helier, at a commencing annual rent of £4,618.50 (representing a rate of £1.50 a square foot) payable quarterly in advance, to be subject to five-yearly rent reviews to Open Market Rental Value, with the lease to terminate in 2019, but with an option to renew. The said area of land was to be enclosed with a fence similar to the existing fence which separated the Company's land from the Abattoir site, and this would be the responsibility of the Jersey Electricity Company Limited. There would be no provision for the Company to sub-let or assign the land. The Company would be responsible for the repair and maintenance of the land and anything constructed thereon and the costs in connexion with gaining planning and development approval for the development of the site. It would also be responsible for the public's legal fees in connexion with drafting and agreeing the lease and passing contract, and also the costs associated with the employment of Professional Hi-tech services Limited to record co-ordinate points of the boundaries and to confirm the area of the land being leased;
- (c) as recommended by the Housing Committee, the entering into of a Deed of Arrangement with Frogmore Holdings Limited in order to agree the position of the boundary between the proposed new development on the site of the former Laurent Garage and the existing Housing Committee site know as Kew Gardens, Grands Vaux, St. Helier. It was noted that the eastern extremity of the Frogmore Holdings Limited new development was to be constructed up to the centre line of the existing gable wall of the property known as No. 2 Kew Villas. The existing granite party wall which extended to the site in a southerly direction was to be retained, subject to any remedial work deemed to be necessary by the Housing Committee. The "existing Housing Department chimney breast" adjoining No. 2 Kew Villas would be demolished by Frogmore Holdings Limited at no expense to the public. No doors, windows or service penetrations were to be

constructed in the gable wall adjoining Kew Gardens. Frogmore Holdings Limited was to be granted temporary rights to erect scaffolding within the communal garden area of Kew Gardens, and the public retained an unfettered right to build up to Frogmore Holdings Limited's gable wall. It was noted that Professional Hi-Tech Services Limited was to be employed to survey the precise location of the boundary in order to accurately record the position of the said party wall, at the expense of Frogmore Holdings Limited. It was noted that Frogmore Holdings Limited had accepted responsibility for all reasonable legal costs incurred by the public and it was proposed that the existing contractual drainage rights to No. 2 Kew Gardens in favour of the public would be cancelled as this was no longer relevant.

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

29th November 2002

1. The Public Services Committee has accepted the preferred tender for the proposed upgrading of the Ultra-Violet Treatment Plant at Bellozanne Sewage Treatment Works, St. Helier, namely that submitted by Sunwater Trojan Limited in the amended contract sum of £763,527.00 in a contract period of seven weeks.

The Committee noted that the other amended tender received for a contract period of 11 weeks was as follows -

<u>Contractor</u>	<u>Amended amount</u>
Wedeco Limited	£637,698.00

2. The Health and Social Services Committee had accepted the preferred tender for the replacement of the cremators at the Crematorium, St. Helier, namely that submitted by Facultatieve Technologies in the sum of £419,183.37 in a contract period of 24 weeks.

The Committee noted that the other tender received for a contract period of 22 weeks was as follows -

<u>Contractor</u>	<u>Amount</u>
JG Shelton and Company Limited	£399,475.00

QUESTION PAPER

(See Item G)

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

- “(a) On two occasions in 2002 the Dairy Industry received funding of approximately £850,000 for an exit strategy involving the numbers of cattle within the milk-licensing scheme. Will the President inform members whether cattle from organic farms were included in the licensing scheme?
- (b) Will the President explain what happens to the excess milk from organic cattle and say whether it is mixed with other milk from the milk-licensing scheme?
- (c) As organic milk could be mixed with milk from the licensing scheme, what rationale has the Industry got to deal with excess numbers of organic cattle and is capping going to be applied to this sector of the Industry? If no capping is planned, will the President explain the rationale in recommending a licensing scheme to the Finance and Economics Committee if organic milk from an uncapped scheme can be added to the milk-licensing scheme?”

Deputy R.G. Le Hérisssier of St. Saviour will ask the following question of the President of the Harbours and Airport Committee -

“With reference to the accident involving the Customs Rigid Inflatable Boat (RIB), would the President –

- (a) confirm that the boat wrecked in the accident was, at the time, on loan to the Department?
- (b) advise whether the driver of the other boat was a member of the Department?
- (c) advise whether the owner’s or the Department’s insurance covered the other boat at the time?
- (d) confirm that the accident investigation has been completed and advise whether it will be made public?”

Deputy G.C.L. Baudains of St. Clement will ask the following questions of the President of the Finance and Economics Committee -

“The States decided on 27th July 1999, when it considered the Strategic Reserve: allocation of funds to Tourism investment fund” (P.93/1999) to allocate £3m for the redevelopment of Mont Orgueil Castle. Would the President advise members how much of that sum has been spent since that debate –

- (a) in total?
- (b) on the following -
 - (i) the hire and construction of scaffolding?
 - (ii) the production/publication of Conservation Plan volumes 1 and 2 and both 1st and 2nd editions?

- (iii) the Jersey Heritage Trust's archaeological consultant and his Assistant?
- (iv) all other consultants/organisations commissioned to record or otherwise advise on the Castle?
- (v) project contractors?
- (vi) setting up/maintenance of the Mont Orgueil web site?"