

# STATES OF JERSEY ORDER PAPER

Tuesday, 24th September 2002

## A. COMMUNICATIONS BY THE BAILIFF

## B. TABLING OF SUBORDINATE LEGISLATION

*(Explanatory note attached)*

Medicines (General Sale List) (Amendment No. 5)  
(Jersey) Order 2002. R & O 91/2002.  
*Health and Social Services Committee.*

Medicines (Aristolochia, Mu Tong and Fangji)  
(Prohibition) (Jersey) Order 2002. R & O 92/2002.  
*Health and Social Services Committee.*

Medicines (Sale and Supply) (Miscellaneous  
Provisions) (Amendment No. 4) (Jersey) Order 2002. R  
& O 93/2002.  
*Health and Social Services Committee.*

Medicines (Prescription Only) (Amendment No. 4)  
(Jersey) Order 2002. R & O 94/2002.  
*Health and Social Services Committee.*

Banking Business (General Provisions) (Jersey) Order  
2002. R & O 95/2002.  
*Finance and Economics Committee.*

Social Security (Earnings Limit) (Jersey) Order 2002. R  
& O 96/2002.  
*Employment and Social Security Committee.*

## C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Resignation of the President of the Committee of  
Inquiry into Building Costs.

## D. PRESENTATION OF PAPERS

### (a) Papers for information

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

United Nations International Covenant on Economic, Social and Cultural Rights (ICESCR): concluding observations of the Committee on Economic, Social and Cultural Rights. R.C.34/2002.  
*Policy and Resources Committee.*

International Conventions and Agreements: progress report for the period 1st April 2001 to 31st March 2002. R.C.35/2002.  
*Policy and Resources Committee.*

States of Jersey Law 1966, as amended: R.C.36/2002.  
delegation of functions - prison -  
remission of sentence.  
*Home Affairs Committee.*

Draft Planning and Building P.56/2002.  
(Amendment) (Jersey) Law 200- Com.  
(P.56/2002): comments.  
*Finance and Economics Committee.*

Machinery of Government: freedom of P.142/2002.  
representation (P.142/2002) - Com.  
comments.  
*Policy and Resources Committee.*

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

Presented on 17th September 2002

Criminal Injuries Compensation Board: R.C.33/2002.  
report and accounts for 2001.  
*Home Affairs Committee.*

**(b) Notification of Standing Order decisions**

18th September 2002

Decisions under delegated functions.  
*Finance and Economics Committee.*

**(c) Notification of acceptance of tenders**

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

Draft Misuse of Drugs (Amendment No. 3) (Jersey) Law 200-. P.164/2002.  
*Health and Social Services Committee.*

Draft Community Provisions Dual-Use items (Export Control) (Amendment) (Jersey) Regulations 200-. P.165/2002.  
*Finance and Economics Committee.*

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

Lodged on 17th September 2002

Elizabeth Harbour, St. Helier: P.161/2002.  
Commodore Shipping (Jersey)  
Limited - variation and assignment of  
lease.  
*Harbours and Airport Committee.*

Draft Insurance Business (Amendment  
No. 4) (Jersey) Law 200. P.162/2002.  
*Finance and Economics Committee.*

New North Quay, St. Helier: erection of  
fencing - review. P.163/2002.  
*Deputy G.C.L. Baudains of St. Clement.*

**(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" be considered at the present  
meeting -

Royde House, 21 Midvale Road, St. P.137/2002.  
Helier: lease of accommodation.  
Lodged: 20th August 2002.  
*Health and Social Services Committee.*

Draft Nursing and Residential Homes P.140/2002.  
(Amendment) (Jersey) Law 200-  
Lodged: 27th August 2002.  
*Health and Social Services Committee.*

Draft Licensing (Licence Fees) (Jersey) P.150/2002.  
Regulations 200-  
Lodged: 10th September 2002.  
*Tourism Committee.*

The President of the Planning and Environment Committee will seek leave to defer consideration of Planning and Building Core Service: strategy for future funding (P.143/2002 lodged "au Greffe" on 27th August 2002) from the present meeting to the next meeting to be held on 1st October 2002.

THE STATES are asked to agree that the following matters lodged "au Greffe" be considered at their next meeting to be held on 1st October 2002 -

Machinery of Government: freedom of representation. P.142/2002.  
Lodged: 27th August 2002.  
*Senator S. Syvret.*

Machinery of Government: freedom of representation (P.142/2002) - Com. P.142/2002.  
comments.  
Presented: 24th September 2002.  
*Policy and Resources Committee.*

Machinery of Government: freedom of representation (P.142/2002) - Amd. P.142/2002.  
amendment.  
Lodged: 10th September 2002.  
*Policy and Resources Committee.*

Draft Boats and Surf-Riding (Control) (Amendment No. 23) (Jersey) P.144/2002.  
Regulations 200-.  
Lodged: 3rd September 2002.  
*Harbours and Airport Committee.*

Draft Pilotage (General Provisions) (Amendment No. 8) (Jersey) P.145/2002.  
Regulations 200-.  
Lodged: 3rd September 2002.  
*Harbours and Airport Committee.*

Draft Harbours (Amendment No. 34) P.146/2002.  
(Jersey) Regulations 200-  
Lodged: 3rd September 2002.  
*Harbours and Airport Committee.*

New North Quay, St. Helier: erection of P.163/2002.  
fencing - review.  
Lodged: 17th September 2002.  
*Deputy G.C.L. Baudains of St. Clement.*

**In accordance with Standing Order 17(6) the following matter is deemed to be withdrawn -**

Funding of Welfare. P.135/2001.  
Lodged: 11th September 2001.  
*Connétable of Grouville.*

Funding of Welfare (P.135/2001): P.135/2001  
comments. Com.  
Presented: 23rd October 2001.  
*Human Resources Committee.*

In accordance with Standing Order 22(3) the President of the Legislation Committee has instructed the Greffier of the States to withdraw the following propositions, the Committee having lodged "au Greffe" revised proposition (P.156/2002 and P.157/2002) on 10th September 2002 -

Draft Rehabilitation of Offenders P.63/2002.  
(Jersey) Law 2001 (Appointed Day)  
Act 200-  
Lodged: 30th April 2002.  
*Legislation Committee.*

Draft Rehabilitation of Offenders P.64/2002.  
(Exceptions) (Jersey) Regulations 200-  
Lodged: 30th April 2002.  
*Legislation Committee.*

**F. PRESENTATION OF PETITIONS**

**G. QUESTIONS**

Deputy G.P. Southern of St. Helier will ask questions of the President of the Finance and Economics Committee regarding income tax exemptions and personal allowances.

The Deputy of St. John will ask a question of the President of the Agriculture and Fisheries Committee regarding leachate pollution at Beauport.

Deputy G.C.L. Baudains of St. Clement will ask questions of the President of the Planning and Environment Committee regarding the St. Helier Street Life Programme and the practice of photographing properties.

The Deputy of St. Martin will ask a question of the

President of the Home Affairs Committee regarding the preparation of legislation relating to the confiscation of alcohol.

The Deputy of St. John will ask questions of the President of the Home Affairs Committee regarding driver theory tests.

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Agriculture and Fisheries Committee regarding ormer fishing.

Deputy G.P. Southern of St. Helier will ask questions of the President of the Planning and Environment Committee regarding the possible designation of the Odeon Cinema, Bath Street as a Site of Special Interest.

**H. MATTERS OF PRIVILEGE**

**I. PERSONAL STATEMENTS**

**J. COMMITTEE STATEMENTS**

The President of the Planning and Environment Committee will make a statement regarding the photographing of properties.

**K. PUBLIC BUSINESS**

Draft Planning and Building P.56/2002.  
(Amendment) (Jersey) Law 200-  
Lodged: 23rd April 2002.  
*Planning and Environment Committee*

Draft Planning and Building P.56/2002.  
(Amendment) (Jersey) Law 200- Com.  
(P.56/2002): comments.  
*Finance and Economics Committee.*

Draft Police Procedures and Criminal P.89/2002.  
Evidence (Jersey) Law 200-  
Lodged: 28th May 2002.  
*Home Affairs Committee.*

Draft Police Procedures and Criminal P.89/2002.  
Evidence (Jersey) Law 200- Com.  
(P.89/2002): comments.  
Presented: 11th June 2002.  
*Human Resources Committee.*

Draft Police Procedures and Criminal P.89/2002.  
Evidence (Jersey) Law 200- Com.(2)  
(P.89/2002): comments.  
Presented: 11th June 2002.  
*Finance and Economics Committee.*

Draft Police Procedures and Criminal Evidence (Jersey) Law 200- (P.89/2002): amendment. Lodged: 10th September 2002. <i>Home Affairs Committee.</i>	P.89/2002. Amd.
Draft Crime (Going Equipped) (Jersey) Law 200-. Lodged: 11th June 2002. <i>Legislation Committee.</i>	P.96/2002.
European Convention for the Protection of Human Rights and Fundamental Freedoms: Individual Right to Petition. Lodged: 25th June 2002. <i>Policy and Resources Committee.</i>	P.110/2002.
Draft Civil Evidence (Jersey) Law 200-. Lodged: 2nd July 2002. <i>Legislation Committee.</i>	P.111/2002.
Meetings of the States in 2003: suspension of Standing Order 4(1). Lodged: 23rd July 2002. <i>Privileges and Procedures Committee.</i>	P.124/2002.
Draft Law Reform (Miscellaneous Provisions) (Jersey) Law 200-. Lodged: 23rd July 2002. <i>Legislation Committee.</i>	P.130/2002.
Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: extension of scheme. Lodged: 23rd July 2002. <i>Employment and Social Security Committee.</i>	P.131/2002.
Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: extension of scheme P.131/2002) – amendment. <i>Connétable of Grouville.</i> <i>Attached.</i>	
Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: extension of scheme (P.131/2002) - comments. Presented: 10th September 2002. <i>Finance and Economics Committee.</i>	P.131/2002. Com.
<b>Subject to E -</b>	
Royde House, 21 Midvale Road, St. Helier: lease of accommodation. Lodged: 20th August 2002. <i>Health and Social Services Committee.</i>	P.137/2002.
Draft Nursing and Residential Homes	P.140/2002.

(Amendment) (Jersey) Law 200-  
Lodged: 27th August 2002.  
*Health and Social Services Committee.*

Draft Licensing (Licence Fees) (Jersey) P.150/2002.  
Regulations 200-  
Lodged: 10th September 2002.  
*Tourism Committee.*

**C.M. NEWCOMBE**

**Greffier of the States**

19th September 2002

## **Explanatory Note regarding subordinate legislation tabled at this meeting.**

### **R & O 91/2002**

This Order amends the Medicines (General Sale List) (Jersey) Order 1997, which specifies medicinal products that may be supplied otherwise than under the supervision of a pharmacist.

The effect of the amendment is to permit the supply of sodium picosulphate from premises other than pharmacies, if it is in the form of gel-filled capsules in a strength not exceeding 2.5 mg, and it is indicated for administration to persons aged not less than 10 years, with a maximum dose and a maximum daily dose of 15 mg.

The amending Order should be read in conjunction with the Medicines (Sale and Supply) (Miscellaneous Provisions) (Amendment No. 4) (Jersey) Order 2002, which limits the number of capsules that may be sold in a pack.

The Order was made by the Health and Social Services Committee on 16th September 2002, after consultation with the Medicines Advisory Council, and will come into force on 1st October 2002.

### **R & O 92/2002**

The effect of this Order, which will come into force on 16th December 2002, is to prohibit permanently the sale, supply and importation, for human use, of any medicinal product that consists of or contains any of the following plants -

- (a) a plant belonging to a species of the genus *Aristolochia* or belonging to any of the following species, namely *Akebia quinata*, *Akebia trifoliata*, *Clematis armandii*, *Clematis montana*, *Cocculus laurifolius*, *Cocculus orbiculatus*, *Cocculus trilobus*, and *Stephania tetrandra*, or an extract from such a plant; or
- (b) a plant that is presented as consisting of or containing *Mu Tong* or *Fangji*, a plant belonging to any of the species *Akebia quinata*, *Akebia trifoliata*, *Clematis armandii*, *Clematis montana*, *Cocculus laurifolius*, *Cocculus orbiculatus*, *Cocculus trilobus* and *Stephania tetrandra*, or an extract from such a plant.

These prohibitions do not apply where -

- (a) the sale or supply is to a person exercising functions in relation to the enforcement of food or medicines legislation;
- (b) the importation is made by or on behalf of such a person; or
- (c) the product is the subject of a product licence, marketing authorization or homeopathic certificate of registration under the law of the United Kingdom.

The Order was made by the Health and Social Services Committee on 16th September 2002 after consultation with the Medicines Advisory Council.

### **R & O 93/2002**

This Order increases from 16 to 28 the number of enteric-coated, 75 milligram tablets of non-effervescent aspirin that may be sold or supplied by retail elsewhere than at a pharmacy.

It also provides that where sodium picosulphate is sold or supplied in the form of gel-filled capsules, the pack size must not exceed 24 capsules.

The Order, which was made by the Health and Social Services Committee on 16th September 2002 after consultation with the Medicines Advisory Council, will come into force on 1st October 2002.

## **R & O 94/2002**

This Order amends the Medicines (Prescription Only) (Jersey) Order 1997, which specifies medicinal products that may only be sold or supplied on prescription and also contains exemptions from that restriction.

The amending Order has the following effect -

- (a) The substances Atorvastatin Calcium, Benserazide, Carbasalate Calcium; Cefdinir, Cerivastatin Sodium, Dolasetron Mesilate, Donepezil Hydrochloride, Fexofenadine Hydrochloride, Flutrimazole, Formoterol Fumarate, Gadolinium, Latanaprost, Levofloxacin Hemihydrate, Mercaptamine Bitartrate, Modafinil, Ondansetron, Pramipexole Dihydrochloride, Reboxetine Mesilate, Ropinirole Hydrochloride, Sertindole, Sibutramine Hydrochloride, Sumatriptan and Temocapril Hydrochloride are added to the list of medicinal products that may only be sold or supplied on prescription.
- (b) The circumstances in which Azelastine Hydrochloride, Fluconazole, Hydrocortisone Acetate, Stannous Fluoride and Terbinafine Hydrochloride may be sold or supplied without prescription are extended.
- (c) Clobetasone Butyrate, Fenticonazole Nitrate, Fluticasone Propionate, Prochlorperazine Maleate and Terbinafine become products that may in certain circumstances be sold or supplied without prescription.

The Order, which was made by the Health and Social Services Committee on 16th September 2002 after consultation with the Medicines Advisory Council, will come into force on 1st October 2002.

**R & O 95/2002**

The purpose of this Order is to increase registration fees.

The opportunity has been taken to consolidate in one Order the 1991 Order and its subsequent amending Orders, without substantial amendments.

The Order was made on 18th September 2002 and comes into force on 1st October 2002.

**R & O 96/2002**

The purpose of this Order is to increase the earnings limit above which a Class 1 insured person's earnings shall be disregarded in calculating his or her Class 1 contributions to £2754 a month.

The Order was made on 19th September 2002 and comes into force on 1st January 2003.

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

16th September 2002

- (a) as recommended by the Health and Social Services Committee, the lease from Mr. Derek Horsfall and Mrs. Eileen Doris Horsfall, née Chapron, of the property known as Holley Tree House, La Grande Route de St. Jean, Trinity, for a further period of two years from 1st August 2002 at a revised annual rent of £19,200 (representing £369.23 a week), payable quarterly in advance, subject to a rental increase in line with the Jersey Retail Price Index as at 1st August. Each party would be responsible for its own legal costs arising from this transaction and no deposits were to be paid;
- (b) as recommended by the Public Services Committee, and in accordance with terms and conditions which had been agreed with the Bosdet Foundation, the owner of Field No. 50, La Ville des Quennevais, St. Brelade (known as Les Ormes Golf Links), which area had been identified as being the most suitable position for the Ville es Quennevais Foul Sewer Extension Pumping Station -

- (i) the purchase from the Bosdet Foundation of an area of land (measuring 1,364 square feet) required for the construction of a pumping station for a consideration of £1,364;
- (ii) the payment to the Bosdet Foundation of a sum of £3,636 for the use of additional land required for a working area in order to construct the pumping station;
- (iii) the sale to the Bosdet Foundation of the car park situated in Field No. 15, St. Brelade for a consideration of £10,000;
- (iv) the sale to the Bosdet Foundation of the remaining agricultural area of Field No. 15, St. Brelade for a consideration of £10,000;

on the basis that each party will be responsible for its own legal costs arising from these transactions;

- (c) as recommended by the Public Services Committee, the entering into of a Deed of Arrangement with La Phare Holdings Limited in respect of Corbière Phare, St. Brelade, which bordered public land administered by the Harbours and Airport Committee, in order to ratify an uncertain boundary, on the following terms -
- (i) La Phare Holdings Limited would acquire from the public two parcels of land (Areas "A" and "B" - measuring 1,410 square feet and 1,058 square feet respectively), for a nominal consideration of £5 each, and in turn the public would acquire from La Phare Holdings Limited one parcel of land (Area "C" - measuring

543 square feet) for a nominal consideration of £10’;

- (ii) a new boundary line was to be created between Corbière Phare and the public land, and the public’s right of way over Corbière Phare was to be cancelled;
  - (iii) new service clauses were to be implemented to cover all existing mains services, including drains, serving both properties. Access rights were to be provided, on the usual terms and conditions, for both parties, and there was to be a contractual obligation for each party to contribute its fair proportion of the costs of the maintenance, upkeep and repair, etc. of those parts of the mains services which were to serve both properties in common. Any parts of the mains services that were to serve one property independently would be the sole responsibility of the relevant party;
  - (iv) La Phare Holdings Limited was to be granted access rights, on the normal terms and conditions, on to the necessary parts only of the adjoining public land in order to repair and maintain, etc. all enclosures separating its property from the public land. those access rights were to be exercised with due consideration of the Site of Special Interest designation of the public land;
  - (v) the existing enclosure clause referred to in a 1955 Deed was to be cancelled in its entirety;
  - (vi) the existing pedestrian entrance in the southern boundary of the company’s property would be permitted to remain. No pedestrian rights of way would be granted to the company over the public land, though the entrance would be used for exercising the company’s access rights;
  - (vii) the cost of the production of the boundary drawings by professional Hi-Tech Services Limited (£2,855) was to be shared equally between the public and Corbière Hotels Limited ((the former owner of Corbière Phare). The Harbours and Airport Committee and the Public services Committee would each be required to pay a quarter of the costs (£713.75 each);
  - (viii) each party was to be responsible for the payment of its own legal expenses incurred in relation to the proposed transaction;
- (d) as recommended by the Sport, Leisure and Recreation Committee, the entering into of a Deed of Arrangement with Mr. Alan O’Prey and Mrs. Elizabeth O’Prey, née McNamara, as owners of the property known as Springfield Cottage, Springfield Lane, St. Helier, to provide the required access rights to service two dwellings which were to be constructed on the site of the existing Springfield Cottage which was itself to be demolished. It was noted that terms and conditions had been agreed, as follows -
- (i) that a covenant be contained in the Deed in order to restrict the development of the Springfield Cottage site to the construction of two semi-detached dwellings of

approximately 1,250 square feet per property, with two car parking spaces to be allocated per unit;

- (ii) that the Deed would require the development to be undertaken strictly in accordance with the planning permission and building regulation approval;
- (iii) that the Deed would allow vehicular and pedestrian access to the northern boundary of the site in order to serve the two units;
- (iv) that in consideration of the rights granted, the beneficiaries would pay to the public a sum of £5,000 upon completion of the Deed and all reasonable legal and other professional fees incurred by the public in relation to the preparation of the necessary Deed of Arrangement;
- (v) that the Deed would provide all necessary rights of access onto the “Springfield Stadium” premises in order to repair and maintain the relevant boundary enclosures (subject to the usual terms and conditions); and
- (vi) that during the course of the proposed demolition/redevelopment works a full indemnity to the public would be provided with regard to any claims, costs, damages or injuries arising directly or indirectly from the works concerned. Such indemnity was required to be supported by a formal Public Liability Insurance Policy with a minimum level of cover of £2 million sterling, which was to be enforced from the commencement of the works, until such time as practical completion had been achieved.

## QUESTION PAPER

(See Item G)

Deputy G.P. Southern of St. Helier will ask the following questions of the President of the Finance and Economics Committee -

- “1. Income tax exemptions and personal allowances have been ‘frozen’ (not adjusted for inflation) since 1999. The President has indicated the Committee’s intention to freeze allowances again in the 2003 budget. Would the President indicate -
  - (a) what net increase in tax revenue has been produced by this measure over the three year period 2000 - 2002?
    - (i) from marginal tax?
    - (ii) from standard rate tax?
  - (b) how many persons have been brought into taxation over that three year period?
  - (c) what return is forecast on this year’s tax revenue?
2. Will the President confirm that, apart from the year 1999, income tax exemptions and allowances have remained at the same level since 1990 and indicate -
  - (a) the total increase in revenue?
    - (i) through marginal tax?
    - (ii) from standard rate?
  - (b) the total number of additional earners brought into tax over this 12 year period?
3. Does the President agree that the figures above confirm the regressive nature of freezing allowances and exemptions in disproportionately affecting the less well off?
4. Will the President reconsider his proposal to freeze allowances in the 2003 budget and raise the sum indicated in his answer to 1(c) through some more progressive mechanism?”

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

“In 1992 many tons of potatoes were buried at Beauport which caused leachate pollution. Would the President -

- (a) confirm that leachate is still being removed from that site and give details of the volume removed since dumping began until and including August this year?
- (b) give the volume broken down on an annual basis?

- (c) estimate how much longer leachate will have to be collected?
- (d) give the total cost to the taxpayer to date of collecting and transporting leachate?"

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

- “1. Will the President explain why the St. Helier Street Life Programme (P.120/2002), stated in July to be of the utmost urgency, has still not been set down for debate, and will he advise when he intends to ask the Assembly to consider the matter?
- 2. With regard to photographs recently alleged to have been taken of private property by Planning Officers, would the President advise members -
  - (a) whether records are kept of properties photographed indicating when photographs were taken and by whom?
  - (b) how many private properties his officers have photographed in the last three years other than in connexion with a planning application or a complaint?
  - (c) whether all occupiers/owners were notified prior to those photographs being taken and, if not, how many owner/occupiers were not notified in advance?
  - (d) during the last three years, for what purposes photographs have been taken and would the President supply numbers for each category?
  - (e) whether the photographs concerned were taken with digital cameras and whether the images so captured were downloaded onto computers?”

The Deputy of St. Martin will ask the following question of the President of the Home Affairs Committee -

“On 21st May this year the States, in adopting the proposition regarding Confiscation of alcohol: introduction of Legislation (P.46/2002) approved in principle the introduction of legislation to permit police officers to confiscate alcohol in certain circumstances and charged the Committee to prepare and present to the Assembly the necessary draft legislation to give effect to the proposals.

Will the President inform the States of the steps the Committee has taken to comply with the States decision and in particular

- (a) how many times the matter has been discussed at Committee meetings?
- (b) when will briefing instructions be submitted to the Law Draftsman?

- (c) when does the Committee intend to present the draft legislation to the States for approval?"

The Deputy of St. John will ask the following questions of the President of the Home Affairs Committee -

- “1. Would the President explain why it was necessary for the Department to place a series of advertisements on theory testing for learner drivers, measuring 11” x 7”, and containing no more than 60 words, in the Jersey Evening Post and give the cost of these advertisements?
2. As electronic driver theory tests have been installed at an approximate cost of £30,000 and with an average of 3,500 tests per annum, will the President advise whether or not the equipment has far greater capacity than we require and would a different package have been more cost effective?”

Deputy G.C.L. Baudains of St. Clement will ask the following question of the President of the Agriculture and Fisheries Committee -

“During the recent debate on ormers, the Committee rapporteur stated that the population of these shellfish was greater around the Island’s coast than compared with our offshore reefs. It is not unusual for the number of French people fishing for ormers at Les Minquiers to outnumber locals on large spring tides and often recently turned stones are visible at a depth that only divers could reach.

Given the above and the fact that divers could work this area just as easily, if not more so, at neap tides, will the President –

- (a) give details of the number of occasions and the dates on which the Department has monitored the Minquiers reef this year for ormer fishing?
- (b) state the number of occasions his officers have likewise monitored Jersey’s coast?
- (c) state whether the Committee intends increasing monitoring of Les Ecréhous and Minquiers’ reefs, given its awareness that the reefs are under performing compared with Jersey’s coast?
- (d) state the number of hours, on average, our fishery protection vessel spends at sea each week.”

Deputy G.P. Southern of St. Helier will ask the following questions of the President of the Planning and Environment Committee -

- “1. To what extent does the President accept the findings of the report of the Halpern Partnership (August 2002) into the proposal to designate the Odeon building as a Site of Special Interest (SSI) and in particular -
  - (a) the conclusions set out on page 50 of that report that -

‘the cinema building does not have

any special architectural features’;

‘the interior has been completely altered’;

‘the Odeon Cinema..... is of no historical interest’; and

‘the Odeon Cinema does not have special cultural interest attached to it’;

- (b) ‘there is no realistic alternative use when the cinema closes’;

‘the Odeon Cinema’s designation would blight the site and its surrounding area.’

2. Would the President advise members –

- (a) whether the Committee has given due consideration to securing the ongoing upkeep and maintenance of the building, and if so, will these costs fall to the taxpayer?
- (b) whether the Committee accepts that the closure of the Odeon opens up the opportunity to co-ordinate appropriate development in keeping with the Town Park project?
- (c) whether the Committee will now reconsider the proposal for SSI designation?”

FINANCIAL ASSISTANCE FOR THE COST OF OPHTHALMIC AND DENTAL CARE FOR PERSONS AGED OVER 65: EXTENSION OF SCHEME (P.131/2002) - AMENDMENT.

*Before paragraph (a) of the proposition insert a new paragraph (a) –*

“(a) to approve the extension of the scheme for the remainder of the trial period to include those persons over the age of 65 years in receipt of HIE and who meet the criteria for eligibility set out in their Act dated 24<sup>th</sup> April 2001;”

*re-number the existing-paragraphs accordingly.*

CONNÉTABLE OF GROUVILLE

**Report**

The Finance and Economics Committee, in response to a proposition regarding concessionary television licences for the over 75's, allocated £530,000 for such a scheme. However, a vote of members of the Senior Citizens Association supported funds earmarked for the provision of free television licences to the over-75's being directed towards better chiropody, dental and eye services. The Health and Social Services Committee had allocated £150,000 from its 2001 budget for improving basic health care for senior citizens. These two votes were then amalgamated to provide a fund which has been used to finance the ophthalmic and dental care scheme for persons aged over 65.

The Health and Social Services Committee, Employment and Social Security Committee and Senior Citizens Association formulated proposals for the ophthalmic and dental care scheme. In view of the limited funds and the unknown number of claims that might be received, the scheme was limited to those below tax thresholds but above HIE level and covered only ophthalmic and dental benefits [chiropody was omitted]. The Connétables were asked to fund ophthalmic and dental benefits to those on HIE, estimated to be 350 people, who would not be covered by the States scheme. The Connétables were of the view that health care for the elderly should apply to all the elderly above welfare level and not to certain sections only. However, the Connétables agreed in principle to meet the costs of ophthalmic and dental benefits for those on HIE but expressed the hope that the States scheme could be extended to cover those on HIE once the actual numbers were assessed.

In its report, the Employment and Social Security Committee says that it has discussed a number of possible ways to amend the scheme to encourage greater take-up of the benefits available and to subsidise other essential healthcare costs. Whilst proposing an extension of and increase in benefits from 1<sup>st</sup> July 2002, that Committee gives no commitment to extending the scheme to cover those in receipt of HIE. The Connétables consider the first priority is to extend the scheme to cover all those over the age of 65 years and who meet the qualifying criteria of residence, savings etc before increasing and extending the benefits payable under the scheme.

A total of 65 persons in receipt of HIE have been assisted by the Parishes and the total cost of claims, for the period 1<sup>st</sup> September 2001-30<sup>th</sup> April 2002, is just under £8,000. Of this £4,136 is in respect of claims by persons not born in the Island and the cost has therefore been met by the Employment and Social Security Committee through its welfare vote. The numbers and total cost of those in receipt of HIE assisted by the Parishes is small and should be met from the States funds prior to altering the benefits payable.