

STATES OF JERSEY ORDER PAPER

Tuesday, 8th October 2002 and Wednesday 9th October 2002, if necessary

- A. COMMUNICATIONS BY THE BAILIFF
- B. TABLING OF SUBORDINATE LEGISLATION
- C. MATTERS RELATING TO COMMITTEE MEMBERSHIP
- D. PRESENTATION OF PAPERS
- (a) Papers for information

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

Committee of Inquiry: procedures for allocation of residential property by Housing Trusts (P.139/2002) - comments.
Finance and Economics Committee.

P.139/2002.
Com. (2).

Committee of Inquiry: procedures for allocation of residential property by Housing Trusts (P.139/2002) - comments.
Housing Committee.

P.139/2002.
Com.(3).

Machinery of Government: election and removal of Ministers and votes of no confidence in Ministers (P149/2002): comments.
Policy and Resources Committee.

P.149/2002.
Com.

Machinery of Government: freedom of representation (P.173/2002): comments. P.173/2002.
Policy and Resources Committee. Com.

Kew Gardens, Valley Road, St. Helier: approval of drawings (P.175/2002) - P.175/2002.
comments. Com.
Finance and Economics Committee.

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

(b) Notification of Standing Order decisions

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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 Parish Rate (Jersey) Law 200- P.176/2002.
Connétable of Grouville.

Draft Amendment (No. 23) of the Standing P.177/2002.
Orders of the States of Jersey.
Privileges and Procedures Committee.

Ruxley, Longueville Road, St. Saviour: P.178/2002.
purchase.
Home Affairs Committee.

Jersey Overseas Aid Committee: funding. P.179/2002.
Overseas Aid Committee.

Mrs. Aline May Moyse, née Gosney: P.180/2002
acceptance of bequest.
Health and Social Services Committee

- (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

THE STATES are asked to agree that the following matters lodged “au Greffe” be considered at their next meeting to be held on 22nd October 2002 -

Jersey Harbours: progress towards the Trust P.128/2002.
Port.
Lodged: 23rd July 2002.
Harbours and Airport Committee.

Jersey Harbours: progress towards the Trust P.128/2002.
Port (P.128/2002) - comments. Com.
Presented: 1st October 2002.
Human Resources Committee.

Jersey Harbours: Harbour Dues. P.129/2002.
Lodged: 23rd July 2002.
Harbours and Airport Committee.

Jersey Harbours: harbour dues (P.129/2002) P.129/2002.
- comments. Com.
Presented: 24th September 2002.
Finance and Economics Committee.

Draft Jersey Advisory and Conciliation (Jersey) Law 200-. Lodged: 13th August 2002. <i>Employment and Social Security Committee.</i>	P.134/2002.
Machinery of Government: election and removal of ministers and votes of no confidence in ministers. Lodged: 3rd September 2002. <i>Senator S. Syvret.</i>	P.149/2002.
Machinery of Government: election and removal of Ministers and votes of no confidence in Ministers (P149/2002): comments. Presented: 8th October 2002. <i>Policy and Resources Committee.</i>	P.149/2002. Com.
Draft States Reform: Reorganization of Committees (Transitional Arrangements) (Jersey) Act 200-. Lodged: 10th September 2002. <i>Privileges and Procedures Committee.</i>	P.152/2002.
Draft Public Finances (Administration) (Amendment No. 11) (Jersey) Law 200-. Lodged: 10th September 2002. <i>Finance and Economics Committee.</i>	P.153/2002.
Draft Rehabilitation of Offenders (Jersey) Law 2001 (Appointed Day) Act 200-. Lodged: 10th September 2002. <i>Legislation Committee.</i>	P.156/2002.
Draft Rehabilitation of Offenders (Exceptions) (Jersey) Regulations 200-. Lodged: 10th September 2002. <i>Legislation Committee.</i>	P.157/2002.
Draft Honorary Police (Amendment No. 2) (Jersey) Regulations 200-. Lodged: 10th September 2002. <i>Home Affairs Committee.</i>	P.159/2002.
Elizabeth Harbour, St. Helier: Commodore Shipping (Jersey) Limited - variation and assignment of lease. Lodged: 17th September 2002. <i>Harbours and Airport Committee.</i>	P.161/2002.
Draft Insurance Business (Amendment No. 4) (Jersey) Law 200-. Lodged: 17th September 2002. <i>Finance and Economics Committee.</i>	P.162/2002.
Draft Misuse of Drugs (Amendment No. 3) (Jersey) Law 200-. Lodged: 24th September 2002. <i>Health and Social Services Committee.</i>	P.164/2002.

Draft Community Provisions Dual-Use items (Export Control) (Amendment) (Jersey) Regulations 200-.
Lodged: 24th September 2002.
Finance and Economics Committee.

P.165/2002.

Kew Gardens, Valley Road, St. Helier: approval of drawings.
Lodged: 1st October 2002.
Housing Committee.

P.175/2002.

Kew Gardens, Valley Road, St. Helier: approval of drawings (P.175/2002) - comments.
Presented: 8th October 2002.
Finance and Economics Committee.

P.175/2002.
Com.

Draft Parish Rate (Jersey) Law 200-
Lodged: 8th October 2002.
Connétable of Grouville.

P.176/2002.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Planning and Environment Committee regarding the footbridge to provide pedestrian access to the west of Albert site.

The Deputy of St. Martin will ask questions of the President of the Housing Committee regarding the disposal of the properties known as Amy's House and L'Hôpital, St. Martin.

Deputy R.G. Le Hérisssier of St. Saviour will ask a question of the President of the Public Services Committee regarding bus passes.

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

Senator P.V.F. Le Claire will ask a question of the President of the Tourism Committee regarding the use of the Jersey Tourism logo.

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Harbours and Airport Committee regarding the New North Quay.

The Deputy of St. John will ask a question of the President of the Agriculture and Fisheries Committee regarding an audit in respect of the Dairy Industry Restructuring Scheme.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

- Tax Information Exchange Agreement with the United States of America. (Paragraph (a) only)
Lodged: 24th September 2002.
Policy and Resources Committee. P.172/2002.
- Committee of Inquiry: procedures for allocation of residential property by Housing Trusts.
Lodged: 20th August 2002.
Deputy S.M. Baudains of St. Helier. P.139/2002.
- Committee of Inquiry: procedures for allocation of residential property by Housing Trusts (P.139/2002) - comments.
Presented: 1st October 2002.
Human Resources Committee. P.139/2002.
Com.
- Committee of Inquiry: procedures for allocation of residential property by Housing Trusts (P.139/2002) - comments.
Presented: 8th October 2002.
Finance and Economics Committee. P.139/2002.
Com (2)
- Committee of Inquiry: procedures for allocation of residential property by Housing Trusts (P.139/2002) - comments.
Presented: 8th October 2002.
Housing Committee. P.139/2002.
Com (3)
- Haut de la Garenne: Incorporation of Trust, appointment of original Trustees, and lease of property to the Trust.
Lodged: 3rd September 2002.
Planning and Environment Committee. P.147/2002.
- Haut de la Garenne: Incorporation of Trust, appointment of original Trustees, and lease of property to the Trust (P.147/2002) - comments.
Presented: 10th September 2002.
Finance and Economics Committee. P.147/2002.
Com.
- Haut de la Garenne: Incorporation of Trust, appointment of original Trustees, and lease of property to the Trust (P.147/2002) - amendment.
Lodged: 24th September 2002.
Planning and Environment Committee. P.147/2002
Amd.
- Draft Law granting an Act of Incorporation to the Association called "The Haut de la Garenne Trust".
Lodged: 3rd September 2002.
Planning and Environment Committee. P.148/2002.
- Health and Social Care Modernisation Fund. P.151/2002.

Lodged: 10th September 2002.

Health and Social Services Committee.

Health and Social Care Modernisation Fund (P.151/2002): comments. P.151/2002.
Com.
Presented: 1st October 2002.
Human Resources Committee.

Projet de Loi (200-) concernant les serments des Connétables et des Centeniers. P.158/2002.
(*re-issue*)
Lodged: 10th September 2002.
Comité de Législation.

Draft Health Insurance (Medical Benefit) (Amendment No. 56) (Jersey) Regulations 200-. P.166/2002.
Lodged: 24th September 2002.
Employment and Social Security Committee.

16 Clairvale Road, St. Helier: Adult Mental Health Rehabilitation Unit - development agreement and lease. P.167/2002.
Lodged: 24th September 2002.
Health and Social Services Committee.

Draft European Communities Legislation (Implementation) (Cattle Identification) (Jersey) Regulations 200-. P.168/2002.
Lodged: 24th September 2002.
Agriculture and Fisheries Committee.

St. Helier Street Life Programme. P.170/2002.
Lodged: 24th September 2002.
Planning and Environment Committee.

Machinery of Government: freedom of representation. P.173/2002.
Lodged: 24th September 2002.
Senator S. Syvret.

Machinery of Government: freedom of representation (P.173/2002): comments. P.173/2002.
Com.
Presented: 8th October 2002.
Policy and Resources Committee.

C.M. NEWCOMBE

Greffier of the States

3rd October 2002

NOTE : Members are reminded that the official photograph will be taken at 9.15 a.m. before the States commence.

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

2nd October 2002

- (a) as recommended by the Public Services Committee, the lease from Mr. Vincent Buxton of the three-bedroom property known as Goldcroft, Tower Road, St. Helier, (required for occupation by an Assistant Engineer) for a period of two years from 1st September 2002 at an annual rent of £16,500 (representing a rate of £317.31 a week) payable monthly in advance, subject to a rent increase after the first 12 months in line with the Jersey Retail Price Index as at 1st September 2003, on the basis that each party would be responsible for its own legal costs arising from this transaction and with no deposit to be paid by the public;
- (b) as recommended by the Harbours and Airport Committee, the sale to the Jersey Rugby Football Club Limited of Field No. 790, L'Avenue de la Reine Elizabeth II, St. Peter (measuring approximately 5.20.00 vergées) for the sum of £11,000. The Club was to be responsible for undertaking all works necessary to convert the field into a sporting field, and for all the costs relative thereto. A restrictive covenant was to be placed on the field in perpetuity in order to prevent any form of development other than that associated with its permitted use as a sporting facility. The northern boundary would be constituted by the back-edge of the current pavement with the Club being responsible for the maintenance of the bank and all future branchage. The western boundary would be constituted by a new boundary fence to be built by the public, such boundary remaining in the ownership of the public, retaining the usual access rights onto Field No. 790 in order to maintain the said fence. The southern boundary towards Field No. 789 would be constituted by an earth mound in the ownership of Field No. 789 with a relief. The Club would be allowed to establish a boundary fence which did not interfere with the relief along a line with Field No. 789. Each party would be responsible for its own legal costs arising from this transaction;
- (c) as recommended by the Public Services Committee, the purchase from Woodrow Limited of an area of land (measuring approximately 65 square feet) forming part of the Hireride development site at the junction of New St. John's Road and Old St. John's Road, St. Helier, for the purpose of footpath widening, for the sum of £65 (representing a rate of £1 a square foot) together with a compensation payment to the owner, Woodrow Limited, in the sum of £9,935. Terms had been agreed to acquire the land subject to contract and satisfactory title. In addition, it had been agreed that the owner's architectural and engineering fees would be paid in respect of the re-design of the foundation piling detail, the timber frame design and the detailed development drawings to a maximum sum of £4,000, subject to receipted proof of payment. The public would be responsible for the payment of all reasonable legal fees in respect of this transaction.

QUESTION PAPER

(See Item G)

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

“With regard to the possible construction of a footbridge to provide pedestrian access to the west of Albert site, would the President -

- (a) confirm that his departmental officers are promoting the scheme and state under which policy or policies they are acting?
- (b) give details of public consultation relating to this scheme including the numbers of people canvassed and the percentage found to favour a bridge compared with more conventional alternatives?
- (c) advise members who took the decision to put the plan out to competition, who will decide the winner and whether the contestants have been given any expectation that the bridge is likely to be built?
- (d) state why, given the previous difficulties that have arisen as a result of using a design competition, that method was chosen to decide the form of a possible footbridge for the waterfront?”

The Deputy of St. Martin will ask the following questions of the President of the Housing Committee -

- “1. In relation to the property known as Amy's House, St. Martin which has been unoccupied for some considerable time, will the President explain -
 - (a) why the Committee decided to sell the property by tender rather than offering it to those on the first time buyers' list?
 - (b) which estate agent was contracted to carry out the sale?
 - (c) how many offers to purchase were received?
 - (d) what were the lowest and highest tenders received?
 - (e) was the property sold to the highest tender?
2. The property known as l'Hôpital in St. Martin has also been unoccupied for a considerable time. Will the President inform the States whether it is the Committee's intention to re-let the property or dispose of it in the same manner as Amy's House?”

Deputy R.G. Le Hérisser of St. Saviour will ask the following question of the President of the Public Services Committee -

“Would the President explain what steps the Committee proposes to take to remove the disparity that currently exists whereby free bus passes are granted to female senior citizens at age 60 and to male senior citizens at age 65?”

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

“In his answer to my question on 24th September, 2002, the President stated that the average effective rate of tax on employees fell from 10.2 per cent in 1985 to 9.9 per cent in 2001.

- (a) Does the President accept that comparison with any of the years 1987 to 1992 would have shown an increase in the average effective tax rate? Will the President present to members figures which show the changes in average effective tax rate for all years 1985 to 2001?
- (b) Also in his answer, the President repeated his assertion that five out of ten people pay tax at an effective rate of four per cent or less. Would the President make it clear to members that these figures include all those who pay no tax, and confirm that many of these will be pensioners on low incomes, or those on incapacity or invalidity benefit?
- (c) Elsewhere in his reply he quoted the example of a married couple, both working, with two children (one at university) and mortgage interest of £5,000, who would not have started paying tax until their income exceeded £34,250 in 2001. Would the President confirm that a married pensioner, who has income of £34,250 from various pensions and savings prudently put by for his retirement, and is unable to claim mortgage relief or child allowances, would pay tax at an effective rate of over 11 per cent?”

Senator P.V.F. Le Claire will ask the following question of the President of the Tourism Committee -

“Connex buses operating the new bus service carry a Jersey Tourism logo. Would the President advise members whether an agreement exists between Jersey Tourism and Connex Transport Jersey Limited to permit the use of the Jersey Tourism logo, and if so, when this arrangement was agreed and whether any payment was involved?”

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

“With regard to the New North Quay, would the President inform members -

- (a) of the dates on which consultations with the St. Helier Boat Owners’ Association took place since the debate of New North Quay, St. Helier: erection of fencing (P.88/2002), where they were held, who was present and whether a record of the consultations was made?
- (b) of the date of the correspondence from the police regarding

the desirability of erecting a fence on the New North Quay?

- (c) whether the Committee sought H.M. Attorney General's advice before deciding to uphold their original decision in relation to the fencing?
- (d) of the date the Committee visited the site subsequent to the debate of P.88/2002?
- (e) of the number of recorded accidents to members of the public in the last five years resulting from cargo operations?"

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

"In answer to my question on 10th September 2002, the President confirmed that there had been two requests for funding for the Dairy Industry Restructuring Scheme, the first supported in February 2002 and the second in July 2002. Would the President advise members -

- (a) whether it is the Committee's intention to ask for funding from the Finance and Economics Committee in order to carry out an audit of the Jersey Milk Marketing Board in view of the sums advanced?
- (b) if the answer to (a) is in the negative, is the Committee minded to carry out an investigation into why it is deemed necessary for the industry to require two exit strategy payments, and if not, would the President explain the reasons for not doing so?"