

STATES OF JERSEY ORDER PAPER

Tuesday 13th May 2003

A. COMMUNICATIONS BY THE BAILIFF

Committee of Inquiry into Procedures for the Allocation of Residential Property by Housing Trusts: Report. R.C.22/2003.

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Road Traffic (Saint Helier) (Amendment No. 12) (Jersey) Order 2003. R&O 37/2003.
Environment and Public Services Committee.

Island Planning (Designation of Sites of Special Interest) (No. 7) (Jersey) Order 2003. R&O 38/2003.
Environment and Public Services Committee.

Medicines (Kava-kava) (Prohibition) (Jersey) Order 2003. R&O 39/2003.
Health and Social Services Committee.

Diseases of Animals (Importation of Miscellaneous Goods) (Amendment No. 17) (Jersey) Order 2003. R&O 40/2003.
Economic Development Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Nomination of Senator E.P. Vibert as a member of the Overseas Aid Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information

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

Jersey Competition Regulatory Authority: annual report 2002.
Economic Development Committee.

Jersey Child Care Trust: The Strategy One Year On – October 2001 – October 2002. R.C.23/2003.
Education, Sport and Culture Committee.

Manpower report for the period 1st July 2002 to 31st December 2002. R.C.24/2003.
Economic Development Committee.

Code of Practice on Public Access to Official Information: Annual Report for 2002. R.C.25/2003.
Privileges and Procedures Committee.

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

Presented on 6th May 2003

Administrative Decisions (Review) (Jersey) Law 1982, as amended: R.C.21/2003.
report of the Administrative Appeals Panel for 2002.
Privileges and Procedures Committee.

(b) Notification of Standing Order decisions

(c) Notification of acceptance of tenders

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

Audit Commission: appointment of Chairman. P.59/2003.
Finance and Economics Committee.

La Collette Fuel Farm, St. Helier: lease to Shell U.K. Limited and P.60/2003.
Esso Petroleum Company Limited.
Harbours and Airport Committee.

Draft Opticians (Registration) (Amendment) (Jersey) Law 200-. P.61/2002.
Health and Social Services Committee.

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

Lodged on 6th May 2003

Attendance Allowance Board: appointment of members. P.53/2003.
Employment and Social Security Committee.

Draft Shipping (Amendment) (Jersey) Law 200-. P.54/2003.
Harbours and Airport Committee.

Draft Employment (Jersey) Law 200-. P.55/2003.
Employment and Social Security Committee.

Administrative Decisions (Review) (Jersey) Law 1982, as amended: P.56/2003.
Administrative Appeals Panel – membership.
Privileges and Procedures Committee.

Public spending and resource allocation: information for States P.57/2003.
Members.
Senator S. Syvret.

Belle Vue, La Route des Quennevais, St. Brelade: proposed exchange P.58/2003.
and counter-exchange of land.
Environment and Public Services Committee.

(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 on 20th May 2003 -

Income Tax: increase in small income exemption limits and allowances, and introduction of higher rate. P.6/2003.
Lodged: 4th February 2003.
Deputy G.P. Southern of St. Helier.

Attendance Allowance Board: appointment of members. P.53/2003.
Lodged: 6th May 2003.
Employment and Social Security Committee.

Draft Shipping (Amendment) (Jersey) Law 200-. P.54/2003.
Lodged: 6th May 2003.
Harbours and Airport Committee.

Administrative Decisions (Review) (Jersey) Law 1982, as amended: P.56/2003.
Administrative Appeals Panel – membership.
Lodged: 6th May 2003.
Privileges and Procedures Committee.

Public spending and resource allocation: information for States P.57/2003.
Members.
Lodged: 6th May 2003.
Senator S. Syvret.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

Senator C.G.P. Lakeman will ask a question of the President of the Home Affairs Committee regarding the use of CS spray.

Deputy G.P. Southern of St. Helier will ask a question of the President of the Housing Committee regarding rent abatement.

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Health and Social Services Committee regarding access for ambulance vehicles in St. Helier.

Deputy G.P. Southern of St. Helier will ask a question of the President of the Finance and Economics Committee regarding the outcome of the 2004 Fundamental Spending Review.

Deputy G.P. Southern of St. Helier will ask a question of the President of the Employment and Social Security Committee regarding that Committee’s proposed 2004 budget.

Deputy R.G. Le Hérissier of St. Saviour will ask a question of the President of the Environment and Public Services Committee regarding that Committee’s Transport Strategy.

Deputy G.P. Southern of St. Helier will ask a question of the President of the

Environment and Public Services Committee regarding that Committee's Transport Strategy.

Deputy G.P. Southern of St. Helier will ask questions of the President of the Housing Committee regarding rent rebates, the Committee's maintenance/refurbishment budget, and the proposed 2004 Committee budget.

The Deputy of St. John will ask questions of the President of the Environment and Public Services Committee regarding disabled access as related to the refurbishment of the States Building.

Deputy G.P. Southern of St. Helier will ask a question of the President of the Environment and Public Services Committee regarding proposed sewerage charges.

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Environment and Public Services Committee regarding the cost of main road white line painting.

Deputy R.G. Le Hérisier of St. Saviour will ask a question of the President of the Home Affairs Committee regarding the report entitled '*Review of Criminal Justice Policy in Jersey*' prepared by Professor Andrew Rutherford dated October 2002.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

States Members' remuneration: establishment of an independent review body. P.26/2003.
Lodged : 18th March 2003.
Senator E.P. Vibert.

States Members' remuneration: establishment of an independent review body (P.26/2003) – comments. P.26/2003.
Presented: 15th April 2003. Com.
Privileges and Procedures Committee.

Former Gorey Youth Centre, La Chèvre Rue, Grouville: proposed sale. P.36/2003.
Lodged: 1st April 2003. (re-issue)
Environment and Public Services Committee.

Former Gorey Youth Centre, La Chèvre Rue, Grouville: proposed sale (P.36/2003) – comments. P.36/2003.
Presented: 29th April 2003. Com.
Finance and Economics Committee.

European Convention for the Protection of Human Rights and Fundamental Freedoms: extension of Protocol 13. P.39/2003.
Lodged: 8th April 2003.
Policy and Resources Committee.

Draft Maintenance Orders (Facilities for Enforcement) (Jersey) Law 2000 (Appointed Day) Act 200-. P.43/2003.
Lodged: 22nd April 2003.

Legislation Committee.

Draft Maintenance Orders (Facilities for Enforcement – Convention Countries) (Jersey) Act 200-. Lodged: 22nd April 2003. <i>Legislation Committee.</i>	P.44/2003.
Draft Maintenance Orders (Facilities for Enforcement – Hague Convention Countries) (Jersey) Act 200-. Lodged: 22nd April 2003. <i>Legislation Committee.</i>	P.45/2003.
Draft Employers' Liability (Compulsory Insurance) (Authorised Insurer) (Jersey) Regulations 200-. Lodged: 22nd April 2003. <i>Employment and Social Security Committee.</i>	P.46/2003.
Draft Police Force (Amendment No. 9) (Jersey) Law 200-. Lodged: 29th April 2003. <i>Home Affairs Committee.</i>	P.47/2003. <i>(re-issue)</i>
Draft Motor Traffic (Third Party Insurance) (Amendment No. 11) (Jersey) Law 200-. Lodged: 29th April 2003. <i>Home Affairs Committee.</i>	P.48/2003.
Draft Motor Vehicle Registration (Amendment No. 2) (Jersey) Law 200-. Lodged: 29th April 2003. <i>Home Affairs Committee.</i>	P.49/2003.
H.M. Prison, La Moye: reception and accommodation block – approval of drawings. Lodged: 29th April 2003. <i>Home Affairs Committee.</i>	P.50/2003.
No. 2 La Croix Crescent, La Rue à Don, Grouville: removal of restrictive covenant. Lodged: 29th April 2003. <i>Home Affairs Committee.</i>	P.51/2003.
No. 1 Oxford Road, St. Helier: proposed sale. Lodged: 29th April 2003. <i>Health and Social Services Committee.</i>	P.52/2003.

M.N. DE LA HAYE
Greffier of the States

8th May 2003.

Explanatory Note regarding subordinate legislation tabled at this meeting.

R&O 37/2003

This Order further amends the Road Traffic (Saint Helier) (Jersey) Order 1996 in the following respects –

- (a) by adding a restriction on turning right in respect of all vehicles except buses and cycles from The Parade into Union Street (*Article 2*);
- (b) by adding restricted use loading/unloading facilities in parts of Castle Street and Sand Street and on the footway adjacent to part of Bath Street (and by revising the existing provisions with respect to loading and unloading) (*Article 3 and Schedule*);
- (c) by extending the one-way traffic restriction in Bath Street and reducing the one-way traffic restriction in Union Street (*Article 4*);
- (d) by extending the prohibition of waiting in Union Street (*Article 5*);
- (e) by correcting an entry relating to La Grande Route de Mont à L'Abbé (*Article 6*); and
- (f) by removing the paying parking place in respect of Union Street (and correcting the positioning of another entry in the Eighth Schedule (*Article 7*)).

The Order was made on 2nd May 2003, and came into force on 12th May 2003.

R&O 38/2003

The purpose of this Order is to designate the Odeon Cinema in Bath Street, St. Helier to be a site of special interest by reason of the special architectural, cultural and historical interests that attach to it.

The Order was made on 2nd May 2003, and came into force on the day it was made

R&O 39/2003

This Order prohibits the sale, supply or importation of any medicinal product for human use which consists of or contains a plant (or part of a plant) belonging to the species *Piper methysticum* (known as Kava-kava) or an extract from such a plant.

This prohibition is subject to the following exceptions –

- (a) where the product is for external use only;
- (b) where the sale or supply is to, or the importation is made by or on behalf of, a person exercising functions in relation to the enforcement of food or medicines legislation; or
- (c) where the product is the subject of a product licence, marketing authorization or homoeopathic certificate of registration.

The Order was made on 7th May 2003, and comes into force 7 days after it is made.

R&O 40/2003

This Order amends the Diseases of Animals (Importation of Miscellaneous Goods) (Jersey) Order 1958 (“the principal Order”).

Article 1 inserts a new definition and deletes an existing definition, both amendments as the result of the further amendments made by *Article 2*.

Article 2 amends the First Schedule to the principal Order, which lists goods which are not allowed to be imported into Jersey.

Hay, straw, reed, grass meal, and cubes and mixtures containing grass meal, may now be imported from Guernsey

and from any EU state, but from no other country.

Peat, moss litter and leaf mould may now be imported from any EU state, but from no other country.

The prohibition on the import of baskets, sacks and barrels from the continent of Europe is lifted.

Article 3 provides the title of the Order and indicates that it will come into force 7 days after it is made.

The Order was made on 7th May 2003.

QUESTION PAPER

(See Item G)

Senator C.G.P. Lakeman will ask the following question of the President of the Home Affairs Committee -

“In the 2002 report of the Jersey Police Complaints Authority, which was presented to the States on 29th April 2003, there are three instances of complaints relating to the use of CS spray.

Will the President inform the Assembly –

- (a) of the injuries sustained?
- (b) if the persons involved were subsequently charged with a criminal offence? and,
- (c) whether a claim for compensation has been made in relation to any of these incidents?”

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

“In answer to my question on rent abatement on 21st January 2003, the President stated –

“I can confirm that those benefits, namely Family Allowance, Invalidity Benefit and Disability Benefit, which were disregarded as income for rent abatement in 2002 will continue to be disregarded in 2003.”

- (a) Can the President give the same assurance for 2004?
- (b) If the answer is in the negative, will the President inform members –
 - (i) the reasons why?
 - (ii) the date when the matter was first considered by the Committee?
 - (iii) how many tenants will be affected, the extent of the increase in their rents, and what the additional rental income will be? and,
 - (iv) what steps will be taken to avoid further hardship to tenants?”

Deputy G.C.L. Baudains of St. Clement will ask the following question of the President of the Health and Social Services Committee -

“Would the President advise members whether the Health and Social Services Committee has any concerns regarding access by emergency ambulances to the streets of St. Helier given the number of road alterations to assist traffic flow in recent years, and, if so –

- (i) what these are and where they are occurring? and,
- (ii) what action, if any, does the Committee intend to take to address the issue?”

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

“The process of Fundamental Spending Review, involving a complex combination of reductions in services and “user pays” charges, has resulted in the following proposed budget adjustments for 2004 -

	<u>£ (million)</u>
Health and Social Services	+3.4
Finance and Economics	+3.1
Education Sport and Culture	+1.1
Employment and Social Security	+0.1
Home Affairs	-0.2
Policy and Resources	-0.2
Economic Development	-0.9
Housing	-1.8
Environment and Public Services	-2.5

- (i) Does the President accept that such figures, where additional or increased charges are involved, are effectively equivalent to an additional taxation burden?
- (ii) Can the President give an estimate of the total additional income that will be raised through such additional or increased charges?”

Deputy G.P. Southern of St. Helier will ask the following question of the President of the Employment and Social Security Committee -

- “(i) Will the President inform members of the measures to be taken by the Committee which will enable it to restrict the growth in its 2004 budget to only £100,000?
- (ii) Does the President accept that, given the intrinsic nature of the Committee’s sphere of activity, any reduction of services will inevitably lead to an increase in hardship for those dependent on benefit?”

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

- “(a) Given that the previous Public Services Committee was tasked under Point 1.5 of the Transport Strategy to revise the Motor Traffic (Jersey) Law 1935, as amended to give effect to the Strategy, would the President indicate what action has been taken to date to implement this decision?
- (b) Would the President confirm that the States subsidy required for the first year of Connex’s operation will be approximately £1.4 million, namely the sum quoted when the winning tender was announced in May 2002, or has it been revised in the light of changing circumstances, and, if so, what is the anticipated subsidy for 2002 and 2003?”

Deputy G.P. Southern of St. Helier will ask the following question of the President of the Environment and Public Services Committee -

“In the light of the establishment of the Easylink service currently being operated under a char-a-banc licence, will the President inform members -

- (a) whether the Committee is satisfied that the new service is operating legally?
- (b) the effectiveness of the Motor Traffic (No.8) (Jersey) Regulations 2002, in delivering the bus strategy?
- (c) outline what action, if any, will be taken to remedy any perceived ineffectiveness?

- (d) what consideration, if any, will be given to the adoption or integration of some of the more attractive aspects of the Easylink service into the States sponsored service?"

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

- “1. Will the president inform members what increase, if any, in rent rebate will be necessary in 2004 in order to fund the significant number of units of accommodation being completed this year and which will be passed on to housing trusts?
2. Will the President inform members what growth is envisaged in the Committee’s maintenance/refurbishment budget for 2004?
3. Will the President inform members of the measures that will be taken to achieve the £1.8 million cut in the Housing Committee’s 2004 budget, and, in particular, will he outline what steps will be taken to ensure that the measures do not cause hardship to those least able to afford it?”

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

- “1. Would the President inform members whether the level pavement in the Royal Square connected to the new entrance podium is to be the means of disabled access to the building, and, if so, what safety precautions are to be put in place in this area?
2. Will the President give members an assurance that the building will be re-assessed for minimum disabled access standards following completion of the refurbishment works and that all Building Bye-laws have been complied with during the project, particularly in relation to the provision of stairs, ramps, protective barriers, induction loops and assistance bells, and if not, state the reasons why?”

Deputy G.P. Southern of St. Helier will ask the following question of the President of the Environment and Public Services Committee -

“The President has indicated that the Committee intends to introduce a sewerage charge at an average level of £80 per household, and that this may rise, over time, to £300 per household.

Will the President outline to members how this charge will be structured and, in particular, how those least able to afford it will be protected from hardship?”

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

“Would the President advise members –

- (a) the number of staff, the number of vehicles and the cost per mile incurred for main road white line painting, and whether the cost of the current process has been compared with any other methods available, and, if so, would he give details? and
- (b) whether this work has been put out to tender and, if not, why not?”

Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the President of the Home Affairs

Committee -

“Would the President inform members whether the Home Affairs Committee intends to present to the Assembly a response to the report entitled ‘*Review of Criminal Justice Policy in Jersey*’ prepared by Professor Andrew Rutherford dated October 2002, and, if the response is in the negative, could the President indicate what aspects of the report the Committee agrees and disagrees with?”