

STATES OF JERSEY ORDER PAPER

Tuesday 19th July 2005

- 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)

Parish Rates: the States' liability. <i>Finance and Economics Committee.</i>	R.C.56/2005.
Units 1 and 2, L' Avenue Le Bas, La Rue des Pres Trading Estate: re-assignment of leases (P.104/2005) – comments. <i>Economic Development Committee.</i>	P.104/2005. Com.
Units 1 and 2, L' Avenue Le Bas, La Rue des Pres Trading Estate: re-assignment of leases (P.104/2005) – comments. <i>Finance and Economics Committee.</i>	P.104/2005. Com.(2)
Draft Shops (Sunday Trading) (Trial Arrangements) (Jersey) Regulations 200- (P.108/2005): comments. <i>Finance and Economics Committee.</i>	P.108/2005. Com.
Rural Economy Strategy (P.112/2005): comments. <i>Finance and Economics Committee.</i>	P.112/2005. Com.(2)
Rural Economy Strategy (P.112/2005): amendment (P.112/2005 Amd.)– comments. <i>Economic Development Committee.</i>	P.112/2005. Amd.Com.
Waterfront Enterprise Board: renewal of ten-year working limit (P.114/2005) – comments. <i>Finance and Economics Committee.</i>	P.114/2005. Com.
Waterfront Enterprise Board: renewal of ten-year working limit (P.114/2005) – amendment (P.114/2005 Amd.)– comments. <i>Finance and Economics Committee.</i>	P.114/2005. Amd.Com.
Draft Animal Welfare (Amendment) (Jersey) Law 200- (P.121/2005): comments. <i>Finance and Economics Committee.</i>	P.121/2005. Com.
Restriction on smoking in enclosed workplaces (P.126/2005): comments. <i>Finance and Economics Committee.</i>	P.126/2005. Com.
16 Clairvale Road, St. Helier: Adult Mental Health Rehabilitation Unit – proposed purchase (P.144/2005) – comments.	P.144/2005. Com.

Finance and Economics Committee.

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

(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)

States Business Plan 2006-2010. P.151/2005.
Policy and Resources Committee.

Draft Amendment (No. 29) of the Standing Orders of the States of Jersey. P.152/2005.
Deputy G.P. Southern of St. Helier.

Draft Harbour Charges (Jersey) Law 200-. P.153/2005.
Harbours and Airport Committee.

Development of a Cultural Strategy for the Island. P.154/2005.
Education, Sport and Culture 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

In accordance with Standing Order 22(3), the President of the Education, Sport and Culture Committee has instructed the Greffier of the States to withdraw the following matter, having lodged a revised proposition at the present meeting –

Development of a Cultural Strategy for the Island. P.172/2004.
Lodged: 12th October 2004.
Education, Sport and Culture Committee.

THE STATES are asked to agree that the following matters lodged “au Greffe” be considered at their next meeting on 13th September 2005 -

Draft States of Jersey (Amendment No. 2) Law 200. P.98/2005.
Lodged: 24th May 2005.
Privileges and Procedures Committee.

Waterfront Enterprise Board: renewal of ten-year working limit. P.114/2005.
Lodged: 21st June 2005.
Policy and Resources Committee.

Waterfront Enterprise Board: renewal of ten-year working limit P.114/2005.
(P.114/2005) – comments. Com.
Presented: 19th July 2005.
Finance and Economics Committee.

Waterfront Enterprise Board: renewal of ten-year working limit (P.114-2005) – amendment. Lodged: 5th July 2005. <i>Senator P.V.F. Le Claire.</i>	P.114/2005. Amd. (<i>re-issue</i>)
Waterfront Enterprise Board: renewal of ten-year working limit (P.114/2005) – amendment (P.114/2005 Amd.)– comments. Presented: 19th July 2005. <i>Finance and Economics Committee.</i>	P.114/2005. Amd.Com.
Draft Public Finances (Amendment) (Jersey) Law 200-. Lodged: 28th June 2005. <i>Finance and Economics Committee.</i>	P.133/2005.
Draft States of Jersey (Amendment No. 3) (Jersey) Law 200-. Lodged: 5th July 2005. <i>Senator S. Syvret.</i>	P.143/2005.
Draft Public Finances (Jersey) Law 2005 (Appointed Day No. 1) Act 200-. Lodged: 12th July 2005. <i>Finance and Economics Committee.</i>	P.148/2005
Draft Public Finances (Comptroller and Auditor General) (Jersey) Regulations 200-. Lodged: 12th July 2005. <i>Finance and Economics Committee.</i>	P.149/2005
Comptroller and Auditor General: appointment. Lodged: 12th July 2005. <i>Deputy S.C. Ferguson of St. Brelade.</i>	P.150/2005
States Business Plan 2006-2010. Lodged: 19th July 2005. <i>Policy and Resources Committee.</i>	P.151/2005.
Draft Amendment (No. 29) of the Standing Orders of the States of Jersey. Lodged: 19th July 2005. <i>Deputy G.P. Southern of St. Helier.</i>	P.152/2005.
Development of a Cultural Strategy for the Island. Lodged: 19th July 2005. <i>Education, Sport and Culture Committee.</i>	P.154/2005.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

(a) Written Questions

The President of the Employment and Social Security Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Long Term Incapacity Allowance (LTIA).

The President of the Finance and Economics Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding proposed tax reforms.

The President of the Home Affairs Committee will table an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding the policing of persons entering the Island.

(b) Oral Questions

Deputy R.G. Le Hérissier of St. Saviour has given notice that he will propose that Standing Order 14B(1), relating to the time limit for the asking of questions and the giving of oral answers, be suspended for the present meeting.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Le Squez Estate, St. Clement, Phase 1B: redevelopment- approval of drawings.

Housing Committee.
(attached)

Provision of Extra Funding for Native Welfare. P.138/2005.
Lodged: 5th July 2005.
Connétable of St. Helier.

Draft Island Planning (Amendment No. 9) (Jersey) Law 200. P.127/2005.
Lodged: 22nd June 2005.
Environment and Public Services Committee.

Draft Island Planning (Amendment No. 9) (Jersey) Law 200 P.127/2005.
(P.127/2005): comments. Com.
Presented: 12th July 2005.
Policy and Resources Committee.

Draft Planning and Building (Amendment No. 3) (Jersey) Law 200. P.128/2005.
Lodged: 22nd June 2005.
Environment and Public Services Committee.

Draft Planning and Building (Amendment No. 3) (Jersey) Law 200 P.128/2005.
(P.128/2005): comments. Com.
Presented: 12th July 2005.
Policy and Resources Committee.

Rural Economy Strategy. P.112/2005.
Lodged: 21st June 2005.
Economic Development Committee.

Rural Economy Strategy (P.112/2005): comments. P.112/2005.
Presented: 12th July 2005. Com.
Policy and Resources Committee.

Rural Economy Strategy (P.112/2005): comments. P.112/2005.
Presented: 19th July 2005. Com.(2)
Finance and Economics Committee.

Rural Economy Strategy (P.112-2005): amendment. Lodged: 5th July 2005. <i>Connétable of St. Helier.</i>	P.112/2005. Amd.
Rural Economy Strategy (P.112/2005): amendment (P.112/2005 Amd.)– comments. Presented: 19th July 2005. <i>Economic Development Committee.</i>	P.112/2005. Amd.Com.
Draft Shops (Sunday Trading) (Trial Arrangements) (Jersey) Regulations 200-. Lodged: 7th June 2005. <i>Legislation Committee.</i>	P.108/2005. (<i>re-issue</i>)
Draft Shops (Sunday Trading) (Trial Arrangements) (Jersey) Regulations 200- (P.108/2005): comments. Presented: 19th July 2005. <i>Finance and Economics Committee.</i>	P.108/2005. Com.
Units 1 and 2, L’Avenue Le Bas, La Rue des Pres Trading Estate: re- assignment of leases. Lodged: 7th June 2005. <i>Committee for Postal Administration.</i>	P.104/2005.
Units 1 and 2, L’Avenue Le Bas, La Rue des Pres Trading Estate: re- assignment of leases (P.104/2005) – comments. Presented: 19th July 2005. <i>Economic Development Committee.</i>	P.104/2005. Com.
Units 1 and 2, L’Avenue Le Bas, La Rue des Pres Trading Estate: re- assignment of leases (P.104/2005) – comments. Presented: 19th July 2005. <i>Finance and Economics Committee.</i>	P.104/2005. Com.(2)
Draft Restriction on Smoking (Amendment) (Jersey) Law 200-. Lodged: 21st June 2005. <i>Health and Social Services Committee.</i>	P.111/2005.
Draft Restriction on Smoking (Amendment) (Jersey) Law 200- (P.111/2005): amendments. Lodged: 28th June 2005. <i>Deputy J.L. Dorey of St. Helier.</i>	P.111/2005. Amd.
Restriction on smoking in enclosed workplaces. Lodged: 22nd June 2005. <i>Health and Social Services Committee.</i>	P.126/2005.
Restriction on smoking in enclosed workplaces (P.126/2005): comments. Presented: 19th July 2005. <i>Finance and Economics Committee.</i>	P.126/2005. Com.
Draft Companies (Amendment No. 8) (Jersey) Law 200. Lodged: 21st June 2005. <i>Economic Development Committee.</i>	P.110/2005.

Draft Children and Day Care (Amendment) (Jersey) Law 200-. Lodged: 19th April 2005. <i>Health and Social Services Committee.</i>	P.73/2005.
Draft Day Care of Children (Jersey) Law 2002 (Appointed Day) Act 200-. Lodged: 21st June 2005. <i>Education, Sport and Culture Committee.</i>	P.113/2005.
Draft Education (Amendment) (Jersey) Law 200-. Lodged: 21st June 2005. <i>Education, Sport and Culture Committee.</i>	P.117/2005.
Greenfields Centre, St. Saviour: approval of drawings. Lodged: 21st June 2005. <i>Education, Sport and Culture Committee.</i>	P.118/2005.
Draft Matrimonial Causes (Amendment No. 11) (Jersey) Law 2003 (Appointed Day) Act 200-. Lodged: 28th June 2005. <i>Legislation Committee.</i>	P.129/2005.
Draft Criminal Justice (Evidence of Children) (Jersey) Law 2002 (Appointed Day) Act 200-. Lodged: 28th June 2005. <i>Legislation Committee.</i>	P.130/2005.
Draft States of Jersey (Period for Ordinary Election) (Jersey) Regulations 200-. Lodged: 28th June 2005. <i>Privileges and Procedures Committee.</i>	P.131/2005.
Draft States of Jersey Law 2005 (Appointed Day) (No. 1) Act 200-. Lodged: 28th June 2005. <i>Privileges and Procedures Committee.</i>	P.132/2005.
Draft Plant Health (Jersey) Law 2003 (Appointed Day) Act 200-. Lodged: 28th June 2005. <i>Environment and Public Services Committee.</i>	P.134/2005.
Draft Social Security (Amendment No. 18) (Jersey) Law 200-. Lodged: 28th June 2005. <i>Employment and Social Security Committee.</i>	P.135/2005.
Draft Children (Jersey) Law 2002 (Appointed Day) Act 200-. Lodged: 5th July 2005. <i>Health and Social Services Committee.</i>	P.139/2005.
Draft Adoption (Amendment No. 5) (Jersey) Law 2002 (Appointed Day) Act 200-. Lodged: 5th July 2005. <i>Health and Social Services Committee.</i>	P.140/2005.
Draft Children (Contact in Care) (Jersey) Regulations 200-. Lodged: 5th July 2005. <i>Health and Social Services Committee.</i>	P.141/2005.

Draft Children (Placement) (Jersey) Regulations 200-. Lodegd: 5th July 2005. <i>Health and Social Services Committee.</i>	P.142/2005.
16 Clairvale Road, St. Helier: Adult Mental Health Rehabilitation Unit - proposed purchase. Lodged: 5th July 2005. <i>Health and Social Services Committee.</i>	P.144/2005.
16 Clairvale Road, St. Helier: Adult Mental Health Rehabilitation Unit – proposed purchase (P.144/2005) – comments. Presented: 19th July 2005. <i>Finance and Economics Committee.</i>	P.144/2005. Com.
Field 571, La Rue du Puits Mahaut, Grouville: petition. Lodged : 12th July 2005. <i>Deputy of Grouville.</i> <i>(Note: can not be debated before 26th July 2005)</i>	P.147/2005

M.N. DE LA HAYE
Greffier of the States

14th July 2005

Note –

In accordance with a decision of the States on 16th November 2004, this meeting will continue, if necessary, on Wednesday 20th and Thursday 21st July 2005, and in accordance with a decision of the States on 5th July 2005, on Friday 22nd July 2005, and in accordance with a decision of the States on 12th July 2005, on Tuesday 26th July 2005.

WRITTEN QUESTION PAPER

(See Item G)

The President of the Employment and Social Security Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier -

- “(a) Will the President inform members of the numbers of Long Term Incapacity Allowance (LTIA) applicants there were for the 2nd quarter of 2005 together with the numbers assessed and at what percentages of incapacity?
- (b) In his response to my question of 19th April 2005, the President stated that information should be available by the end of June 2005 on the number of LTIA claimants in the 1st quarter 2005 who were actually in work. Will the President provide these figures for members along with the equivalent figures for the last quarter of 2004, and, if unable to do so, explain the reasons why?
- (c) Also in his response to my question of 19th April 2005, the President gave comparative 2003/2004 figures for claims for the last quarter of each year for Disablement, Invalidity and LTIA benefits. These show new or re-opened claims for Invalidity at 134 compared with LTIA at 137 for the final quarter 2004. Would the President explain to members why there should be so many such claims for Invalidity in this period when this benefit had been replaced by LTIA and would he confirm whether all new claimants for long-term benefits currently being processed are now on LTIA?”

The President of the Finance and Economics Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier -

“The statement made to Parliament by Dawn Primarolo, Paymaster General of the U.K. government as detailed in a local media release by the Finance and Economics Committee dated 6th July 2005, includes the words -

“The proposed introduction of a zero-ten rate in Jersey is a result of a program of modernisation of the Jersey tax system designed to be in compliance with international standards, including those set up by the OECD and by the EU Code of Conduct for business taxation.”

- (a) Is the Committee satisfied that the words *“designed to be in compliance”* are no different from the President’s media statement on the matter dated 6th July 2005, that *“my Committee has ensured that its proposals comply”*?
- (b) The Paymaster General goes on to say *“The States of Jersey have kept H.M. Government informed of developments in relation to the reform of its tax system”*. Will the President inform members of the dates on which the States have so communicated with H.M. Government on this issue, and release to members the content of these communications, and if not, the reasons why?
- (c) Will the President inform members whether the Committee has sought formal acceptance from the U.K. and E.U. that its detailed proposals for tax reform including “look through” provisions for company shareholders are compliant with articles B1, B2, B3, and B5 of the E.U. Code of Conduct on Business Taxation, and if not, the reasons why? and,
- (d) Would the President inform members when the Committee intends that the mechanisms for the zero-ten proposals will be fully detailed and available not only to this Assembly, but to assessment by HM Government and other member states in the EU? If it is not intended to do this, would the President explain why?”

The President of the Home Affairs Committee will table an answer to the following question asked by Deputy J.A. Hilton of St. Helier -

“Would the President inform members –

- (a) whether the States of Jersey Police have the legal authority to stop, apprehend, refuse entry and deport if necessary, offenders arriving in the Island who have criminal records from other jurisdictions in serious crimes including drug related crime, violence against women and children and other violence in general, and, if so, to what extent?
- (b) whether the States of Jersey Police have the legal authority to escort persons off the Island who are apprehended and who have outstanding warrants issued by U.K., EU or Irish jurisdictions who are otherwise not collected by officials from those jurisdictions following notification?
- (c) whether the Committee will review, in liaison with other States Committees as appropriate, legal provisions to control who may, and who may not, enter the Island legally and seek residence and employment? and,
- (d) whether the Committee will enter into discussions with the appropriate authorities on our sister Channel Island, Guernsey, in relation to the implementation of law in connection with (c) above in order to explore how both Islands might work together?”

PROPOSITION

Le Squez Estate, St. Clement, Phase 1B: redevelopment- approval of drawings

THE STATES are asked to decide whether they are of opinion –

- (a) to approve Drawings Nos. 204 to 206, 208, 1201, 1220 to 1227, 1230 to 1234, 1240, 1241, 1242A, 1243, 1244, 3201, 3202, 3220 to 3222, 3230 to 3237, 3240 to 3242, 4210, 4220, 4221, 4225, 6297-03B, 6297-04A, 6297-05B, 6297-006B and 6297/007A showing the demolition of a number of existing buildings and the construction of 15 one-bedroom flats, 3 two-bedroom flats, 5 two-bedroom houses, 16 three bedroom houses, 3 four-bedroom houses and a Social and Life Skills Centre. The refurbishment of 20 three-bedroom houses, 2 four-bedroom houses and one five-bedroom house is also included and associated external works and onsite parking will be undertaken; and,
- (b) to authorise the Greffier of the States to sign the said Drawings on behalf of the States.

HOUSING COMMITTEE

- Notes:
- 1. The Finance and Economics Committee supports this proposition as part of the overall approved regeneration strategy of the estate at a minimal cost to States finances.
 - 2. The Environment and Public Services Committee granted planning permission on 30th April 2004, under Planning Permit P/2003/2646. A Bye-Laws application was submitted in December 2004 and approval is expected in March 2005.

REPORT

On 9th March 2004 the States approved P.19/2004, which set out proposals for the redevelopment of both Le Squez and Les Marais estates.

Phase 1B is the second part of the first phase of the redevelopment of Le Squez Estate and includes the construction of a Social and Life Skills Centre that will be leased to the Health and Social Services Department. Primarily the works comprise the refurbishment of 23 dwellings and the construction of 42 new dwellings, with onsite parking and external works. The houses will be of timber-framed construction and the flats will be of traditional construction with rendered block work walls and tiled roofs.

In total there will be 65 dwellings in Phase 1B and the Committee intends to sell approximately half of these properties to States tenants, as set out in P.19/2004. The remaining properties will be retained in public ownership for States rental.

With the exception of one house, all of the properties within Phase 1B have been vacated and the tenants relocated. Demolition works have now commenced and are expected to be completed by the end of April 2005. The occupied house will be vacated for a time and the family temporarily re-housed while refurbishment works are carried out to this property.

The refurbishment/construction works will be issued for tender at the end of April 2005. The development is expected to commence at the end of July 2005 and should be completed approximately 18 months later.

There are no manpower implications. The loss of rental income from the vacant properties has been factored into the Housing Department's cash limit. The receipts from sales will be put toward the development costs for Phase 2, as described in P.19/2004.

The States are asked to support the second part of the first phase of works that will see a radical overhaul of the Le Squez Estate, and enable a number of States tenants to realise an aspiration to own their home.