

STATES OF JERSEY ORDER PAPER

Tuesday, 11th September 2001

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Health Insurance (Pharmaceutical Benefit) (General Provisions)
(Amendment No. 16) (Jersey) Order 2001. R & O 116/2001.
Employment and Social Security Committee.

Gambling (Channel Islands Lottery) (Amendment No. 2) (Jersey)
Order 2001. R & O 117/2001.
Gambling Control Committee.

Battle of Britain Air Display (Jersey) Order 2001. R & O
118/2001.
Public Services Committee.

St. Clement Fête (Jersey) Order 2001. R & O 119/2001.
Public Services Committee.

Education (Discretionary Grants) (Jersey) Order 2001. R & O
121/2001.
Education Committee.

Airport Dues (Tariff) (No. 2) (Jersey) Order 2001. R & O
122/2001.
Harbours and Airport Committee.

Tourism (General Provisions) (Amendment No. 8) (Jersey) Order
2001. R & O 123/2001.
Tourism Committee.

Places of Refreshment (Registration) (Fees) (Jersey) Order 2001. R
& O 124/2001.
Tourism Committee.

Road Traffic (Public Parking Places) (Amendment) (Jersey) Order
2001. R & O 125/2001.
Public Services Committee.

Medicines (General Sale List) (Amendment No. 4) (Jersey) Order
2001. R & O 126/2001.
Health and Social Services Committee.

Medicines (Health Professionals - Exemption) (Jersey) Order 2001.
R & O 127/2001.
Health and Social Services Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Resignation of the Connétable of St. John from the Agriculture and
Fisheries Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information

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

States Resource Plan 2001 (P.124/2001):
amendments (P.124/2001 Amd.)- comments. P.124/2001.
Amd. Com.
Finance and Economics Committee.

States Resource Plan 2001 (P.124/2001): report. P.124/2001.
Finance and Economics Committee. Rpt.

Jersey Competition Regulatory Authority (JCRA):
appointment. R.C.31/2001.
Industries Committee.

Telecommunications Board: annual report and
accounts for 2000.
Telecommunications Board.

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

Presented on 28th August 2001

Woodville Hotel Site, St. Helier: sale of flats (P.123/2001) - comments. P.123/2001.
Com.
Finance and Economics Committee.

Presented on 4th September 2001

General Reserve: grant of additional funds to 30th June 2001. R.C.29/2001.
Finance and Economics Committee.

States of Jersey Law 1966, as amended: delegation of functions - residential homes. R.C.30/2001.
Health and Social Services Committee.

Stabilisation of Property Prices and the Provision of Affordable Residential Accommodation (P.68/2001): comments. P.68/2001.
Com.
Finance and Economics Committee.

(b) Notification of Standing Order decisions

31st July, 20th August and 3rd September 2001 Decisions under delegated functions.

Decision of 20th August 2001.
Finance and Economics Committee.

(c) Notification of acceptance of tenders

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

Draft Food and Drugs (Amendment No. 3) (Jersey) Law 2000 (Appointed Day) Act 200-. P.134/2001.
Health and Social Services Committee.

Funding of Welfare. P.135/2001.
Connétable of Grouville.

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

Lodged on 7th August 2001

Machinery of Government: proposed reforms. P.122/2001.
Policy and Resources Committee.

Woodville Hotel Site, St. Helier: sale of flats. P.123/2001.
Housing Committee.

Lodged on 14th August 2001

States Resource Plan 2001. P.124/2001.
Policy and Resources Committee.

Draft Agriculture (Poisonous Substances) P.125/2001.

(Repeal) (Jersey) Law 200-
Employment and Social Security Committee.

Agriculture and Fisheries Committee: policy report 2001. P.126/2001.
Agriculture and Fisheries Committee.

Lodged on 21st August 2001

Manual Workers' Joint Council: Employers' Side membership. P.127/2001.
Human Resources Committee.

Public Employees Contributory Retirement Scheme Committee of Management: membership. P.128/2001.
Human Resources Committee.

Lodged on 28th August 2001

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| Projet de Loi (200-) (Amendement No. 9) réglant la procédure criminelle (P.37/2001): amendments. <i>Député J.L. Dorey de St. Hélier.</i> | P.37/2001. Amd. |
| Machinery of Government: proposed reforms (P.122/2001) - amendments. <i>Senator C.G.P. Lakeman.</i> | P.122/2001. Amd. |
| Machinery of Government: proposed reforms (P.122/2001) - second amendments. <i>Deputy M.E. Vibert of St. Brelade.</i> | P.122/2001. Amd.(2). |
| States Resource Plan 2001 (P.124/2001): amendments. <i>Health and Social Services Committee.</i> | P.124/2001. Amd. |
| Jersey Financial Services Commission: appointment of Commissioner. <i>Finance and Economics Committee.</i> | P.129/2001. |
| Draft Licensing (Licence Fees) (Jersey) Regulations 200-. <i>Tourism Committee.</i> | P.130/2001. |
| Trinity School: approval of drawings. <i>Education Committee.</i> | P.131/2001. |
| Draft Public Elections (Jersey) Law 200-. <i>Legislation Committee.</i> | P.132/2001. |

Lodged on 4th September 2001

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| Draft Gambling (Amendment No. 5) (Jersey) Law 200-. <i>Gambling Control Committee.</i> | P.133/2001. |
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(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 be considered at the present meeting in addition to those items already agreed on 31st July 2001 -

Woodville Hotel Site, St. Helier: sale of flats. P.123/2001.
Lodged: 7th August 2001.
Housing Committee.

Woodville Hotel Site, St. Helier: sale of flats P.123/2001.
(P.123/2001) - comments. Com.
Presented: 28th August 2001.
Finance and Economics Committee.

States Resource Plan 2001. P.124/2001.
Lodged: 14th August 2001.
Policy and Resources Committee.

States Resource Plan (P.124/2001): report. P.124/2001.
Presented: 11th September 2001. Rpt.
Finance and Economics Committee.

States Resource Plan 2001 (P.124/2001): P.124/2001.
amendments. Amd.
Lodged: 28th August 2001.
Health and Social Services Committee.

States Resource Plan 2001 (P.124/2001): P.124/2001.
amendments (P.124/2001 Amd.)- comments. Amd. Com.
Presented: 11th September 2001.
Finance and Economics Committee.

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| Draft Agriculture (Poisonous Substances) (Repeal) (Jersey) Law 200-. Lodged: 14th August 2001. <i>Employment and Social Security Committee.</i> | P.125/2001. |
| Manual Workers' Joint Council: Employers' Side membership. Lodged: 21st August 2001. <i>Human Resources Committee.</i> | P.127/2001. |
| Public Employees Contributory Retirement Scheme Committee of Management: membership. Lodged: 21st August 2001. <i>Human Resources Committee.</i> | P.128/2001. |
| Jersey Financial Services Commission: appointment of Commissioner. Lodged: 28th August 2001. <i>Finance and Economics Committee.</i> <i>(consideration in camera).</i> | P.129/2001. |
| Draft Licensing (Licence Fees) (Jersey) Regulations 200-. Lodged: 28th August 2001. <i>Tourism Committee.</i> | P.130/2001. |
| Trinity School: approval of drawings. Lodged: 28th August 2001. <i>Education Committee.</i> | P.131/2001. |

THE STATES are asked to agree that the following matters be considered at the next meeting on 25th September 2001 -

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| Machinery of Government: proposed reforms. Lodged: 7th August 2001. <i>Policy and Resources Committee.</i> | P.122/2001. |
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Machinery of Government: proposed reforms P.122/2001.
(P.122/2001) - amendments. Amd.
Lodged: 28th August 2001.
Senator C.G.P. Lakeman.

Machinery of Government: proposed reforms P.122/2001.
(P.122/2001) - second amendments. Amd.(2).
Lodged: 28th August 2001.
Deputy M.E. Vibert of St. Brelade.

Draft Gambling (Amendment No. 5) (Jersey) Law P.133/2001.
200-.
Lodged: 4th September 2001.
Gambling Control Committee.

Draft Food and Drugs (Amendment No. 3) P.134/2001.
(Jersey) Law 2000 (Appointed Day) Act 200-.
Lodged: 11th September 2001.
Health and Social Services Committee.

THE STATES are asked to note that the President of the Policy and Resources Committee will seek leave to withdraw the Committee's proposition regarding the Review of the machinery of government: wording of response card (P.26/2001 lodged "au Greffe" on 20th March 2001).

F. PRESENTATION OF PETITIONS

G. QUESTIONS

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

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| Projet de Loi (200-) (Amendement No. 9) réglant la procédure criminelle. Logé au Greffe le 6 mars 2001. <i>Député G.C.L. Baudains de St. Clément.</i> | P.37/2001. |
| Projet de Loi (200-) (Amendement No. 9) réglant la procédure criminelle (P.37/2001): amendments. Logé au Greffe le 28 août 2001. <i>Député J.L. Dorey de St. Hélier.</i> | P.37/2001. Amd. |
| Projet de Loi (200-) (Amendement No. 9) réglant la procédure criminelle (P.37/2001): report. Présenté le 1er mai 2001. <i>Comité de Législation.</i> | P.37/2001. Rpt. |
| Projet de Loi (200-) (Amendement No. 9) réglant la procédure criminelle (P.37/2001): rapport - addendum. Présenté le 3 juillet 2001. <i>Comité de Législation.</i> | P.37/2001 Rpt. (2) |
| Projet d'Acte (2001) mettant en vigueur la Loi (1995) (Abrogation) sur les Etrangers. Logé au Greffe le 17 juillet 2001. <i>Comité des Affaires Intérieures.</i> | P.113/2001. |
| Draft Immigration (Designated Ports of Entry and Exit) (Jersey) Act 200-. Lodged: 17th July 2001. <i>Home Affairs Committee.</i> | P.114/2001. |
| Subject to E - | |
| Woodville Hotel Site, St. Helier: sale of flats. Lodged: 7th August 2001. <i>Housing Committee.</i> | P.123/2001. |
| Woodville Hotel Site, St. Helier: sale of flats (P.123/2001) - comments. Presented: 28th August 2001. <i>Finance and Economics Committee.</i> | P.123/2001. Com. |
| States Resource Plan 2001. Lodged: 14th August 2001. <i>Policy and Resources Committee.</i> | P.124/2001. |
| States Resource Plan (P.124/2001): report. Presented: 11th September 2001. <i>Finance and Economics Committee.</i> | P.124/2001. Rpt. |
| States Resource Plan 2001 (P.124/2001): amendments. Lodged: 28th August 2001. <i>Health and Social Services Committee.</i> | P.124/2001. Amd. |
| States Resource Plan 2001 (P.124/2001): amendments (P.124/2001 Amd.)- comments. Presented: 11th September 2001. | P.124/2001. Amd. Com. |

Finance and Economics Committee.

Draft Agriculture (Poisonous Substances)
(Repeal) (Jersey) Law 200-. P.125/2001.
Lodged: 14th August 2001.

Employment and Social Security Committee.

Manual Workers' Joint Council: Employers' Side
membership. P.127/2001.
Lodged: 21st August 2001.

Human Resources Committee.

Public Employees Contributory Retirement
Scheme Committee of Management: membership. P.128/2001.
Lodged: 21st August 2001.

Human Resources Committee.

Jersey Financial Services Commission: P.129/2001.
appointment of Commissioner.
Lodged: 28th August 2001.
Finance and Economics Committee.
(consideration in camera).

Draft Licensing (Licence Fees) (Jersey) P.130/2001.
Regulations 200-
Lodged: 28th August 2001.
Tourism Committee.

Trinity School: approval of drawings. P.131/2001.
Lodged: 28th August 2001.
Education Committee.

M.N. DE LA HAYE

Deputy Greffier of the States

6th September 2001

Explanatory Note regarding subordinate legislation tabled at this meeting.

R & O 116/2001

The purpose of this Order is to increase the basic dispensing fee from 250 pence to 252 pence and to adjust the percentage by which the aggregate amount payable to a supplier, for pharmaceutical benefits supplied, is reduced.

The Order was made on 2nd August 2001 and comes into force on 1st October 2001.

R & O 117/2001

This Order corrects a cross-reference in the Gambling (Channel Islands Lottery) (Jersey) Order 1997.

The Order was made on 3rd August 2001 and came into force forthwith.

R & O 118/2001

The purpose of this Order is to allow certain public roads and places to be closed so that people may view the Battle of Britain air display to be held on Thursday, 13th September 2001.

The Order was made on 6th August 2001.

R & O 119/2001

The effect of this Order is to allow the St. Clement Sports Club to use Le Hocq Car Park and part of La Grande Route de la Côte for the purpose of holding the St. Clement Fête on Saturday, 1st September 2001.

It also authorizes the club to close the site temporarily to traffic, and imposes temporary parking restrictions in other roads.

In the event of bad weather or other adverse conditions, the club may postpone the holding of the fête to Sunday, 2nd September 2001.

The Order was made by the Public Services Committee on 6th August 2001, on the application of the club and after consultation by the Committee with the Connétable of Saint Clement.

R & O 121/2001

The purpose of this Order is to specify, in relation to the discretionary award of grants and allowances by the Education Committee for courses of higher, vocational and further education, when a student will be eligible to be considered for a discretionary award and the maximum amount that may be awarded by the Committee in any case.

The Order was made on 15th August 2001 and came into force on 1st September 2001.

R & O 122/2001

The purpose of this Order is to redefine when an aircraft is based locally for the purposes of the tariff to be charged.

The Order was made on 22nd August 2001 and came into force on 1st September 2001.

R & O 123/2001

This Order increases the fees for the grant or renewal of registration of premises under the Tourism (Jersey) Law 1948 by approximately 2.5%.

The Order was made on 30th August 2001 and comes into force on 1st October 2001.

R & O 124/2001

This Order increases from £60 to £62 the fee for registration, or renewal of registration, of premises as a place of refreshment.

The Order was made on 30th August 2001 and comes into force on 1st January 2002.

R & O 125/2001

The purpose of this Order is to increase the fine for offences related to public parking places from £100 to £500.

The Order was made on 3rd September 2001 and came into force forthwith.

R & O 126/2001

The purpose of this Order is -

- (1) to increase the maximum dose of Cetylpyridinium Chloride permitted in products for general sale from 3mg to 5mg; and
- (2) to permit the sale of mouth washes containing Sodium Fluoride by general sale when the maximum strength of sodium fluoride is 0.05% in the case of mouthwashes intended for daily use or 0.2% in the case of other mouthwashes.

The Order was made on 5th September 2001 and comes into force on 1st October 2001.

R & O 127/2001

The purpose of this Order is to allow certain health professionals to sell, supply or administer medical products in accordance with directions given by the Committee.

The Order was made on 5th September 2001 and comes into force on 1st October 2001.

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

31st July 2001

- (a) as recommended by the Tourism Committee, the renewal of the lease to Mr. Peter Kubeck and Mrs. Bridget Kubeck, née Waage, of the Old Station House Café, Millbrook, St. Lawrence, for a further period of three years from 25th December 2000, at an annual rent of £7,500, increasing to £8,500 on 25th December 2001 and £9,000 on 25th December 2002, with all other terms and conditions remaining as in the existing agreement, on the basis that each party would be responsible for its own legal costs arising from this transaction;
- (b) as recommended by the Public Services Committee, the entering into a Deed of Arrangement with Railway Walk Limited in order to acquire an area of land (measuring 441 square feet) located to the south of Le Mont Les Vaux, St. Brelade (as detailed on Drawing No. P272 01) for the sum of £10, subject to the company carrying out the necessary road widening and pavement construction prior to the formal completion of the sale of any of the new residential units to be constructed on the former St. Julian's Hall site; and to clarify the southern boundary of the new development and to allow the company to establish a new pedestrian bridge link to the Railway Walk (as detailed on Drawing No. 272 03), subject to the payment by the company of the sum of £500 and to the extinguishment by the company of the existing bridge access, on the basis that each party would be responsible for its own legal costs arising from this transaction;
- (c) as recommended by the Gambling Control Committee, the lease from Elgin Estates Limited, of the First Floor Office Suite at 7 West Centre, St. Helier, for the continued occupation of the Gambling Control Office for a further period of 12 months from 24th June 2001, at a continuing annual rent of £10,500, with the other conditions remaining as in the existing lease, on the basis that each party would be responsible for its own legal costs arising from this transaction;
- (d) as recommended by the Housing Committee, the grant of Standard Wayleave Rights to Curiet Holdings Limited in respect of the Hodge Nursery Development, La Grande Route de la Côte, St. Clement, in return for a one-off payment by the Developer of £10,000, subject to the works being undertaken at no expense to the public;

20th August 2001

- (e) as recommended by the Health and Social Services Committee, the renewal of the lease to Miss Lois Hesford of the Upper Flat, La Pouclée Lodge, La Pouquelaye, St. Helier, for a period of three years from 25th March 2001, at an annual rent of £8,300 payable quarterly in advance, with annual rent reviews in line with the Jersey Retail Prices Index, on the basis of the same terms and conditions as the existing agreement, with each party to be responsible for its own legal costs arising from this transaction;

- (f) as recommended by the Sport, Leisure and Recreation Committee, the lease to the Jersey Electricity Company Limited of electricity sub-station No. 20 situated at the F.B. Fields, St. Clement, for a period of 99 years at an agreed annual rent of £1, payable in a lump sum upon the passing of the contract; and in addition, the grant to the Company, free of charge, of wayleave rights in association with the sub-station (as illustrated on Plan No. 25M- reference SS20 dated 29th May 2001), with each party to be responsible for its own legal costs arising from this transaction;
- (g) as recommended by the Public Services Committee, the purchase from Beauvoir Properties (St. Clement) Limited of two small parcels of land (measuring 256 square feet and 34 square feet) situated to the north of the property known as Beauvoir Court, La Grande Route de St. Clement, St. Clement, for the total sum of £10, with each party being responsible for its own legal costs arising from this transaction;
- (h) as recommended by the Tourism Committee, the renewal of the lease to Mrs. Jean Doublard, née Wright, of the Driftwood Café, Archirondel Bay, St. Martin, for an additional three-year period from 25th December 2000 at an increased annual rent of £7,500, increasing to £8,000 from 25th December 2001 and remaining at £8,000 for the following year, on the basis that all other terms and conditions would remain the same as the existing agreement and with each party to be responsible for its own legal costs arising from this transaction;
- (i) as recommended by the Tourism Committee, the renewal of the lease to Mr. Darren Amy and Miss Emma Louise Machon of the property known as the Plemont Beach Café, St. Ouen, for a period of three years deemed to have commenced on 25th December 2000, at a commencement annual rent of £6,000, increasing to £6,500 on 25th December 2001 and to £7,000 on 25th December 2002, with each party to be responsible for its own legal costs arising from this transaction;
- (j) as recommended by the Health and Social Services Committee, the lease to Mrs. Nicola Collins, née Payn, of No. 1 Coastlands, Greve d'Azette, St. Clement, on an internal repairing basis, for a period of three years from 1st June 2001 at an commencement annual rent of £16,000, payable quarterly in advance, subject to annual increases in line with the Jersey Retail Prices Index as at 1st June each year, with an option to renew the lease for a further period of three years, on the basis that each party would be responsible for their own legal costs arising from this transaction;

3rd September 2001

- (k) as recommended by the Harbours and Airport Committee, the lease to Bill Hibbs Marine Limited of Unit 5, Marine Workshop, La Folie, St. Helier (Letting No. LF9E- measuring 878 square feet), for a period of nine years from 1st September 2001, at a commencing annual rent of £4,720.02 subject to annual rent reviews on 1st March in line with the Jersey Retail Price Index, and in accordance with the standard terms and conditions for a marine workshop.

**NOTIFICATION OF STANDING ORDER DECISIONS -
FINANCE AND ECONOMICS COMMITTEE**

20th August 2001

As recommended by the Planning and Environment and Housing Committees, for the purpose of facilitating the development of the site for the housing of the population, the purchase from Dandara Island Homes Limited of the site of the former Woodville Hotel, St. Saviour's Road, St. Helier, and the development of 55 two-bedroom flats and four one-bedroom flats, with 62 car parking spaces at basement, semi-basement and surface level, for a consideration of £9,653,724, £2,735,143 of which represented the sum paid by Dandara Island Homes Limited for the land plus the various fees and stamp duty incurred by the company in completing the purchase, on the basis of each party being responsible for its own legal costs arising from the transaction.

Note: As a result of a misunderstanding between the Committees concerned, this transaction was not notified to the States prior to the purchase of the property in June 2000.