



THE STATES assembled on Tuesday,  
14th June, 1983 at 10.15 a.m. under  
the Presidency of the Bailiff, Sir Frank  
Ereaut.

---

All members were present with the exception of –

Senator John Le Marquand – ill.

Senator Robert Reginald Jeune – out of the Island.

Senator Bernard Thomas Binnington – out of the Island.

Leonard James Norman, Connétable of St. Saviour – out of the  
Island.

Philip George Mourant, Deputy of St. Helier – out of the  
Island.

Jack Roche, Deputy of St. Saviour – absent.

Michael Walter Bonn, Deputy of St. Peter – out of the Island.

---

Prayers.

---

### **Subordinate legislation tabled.**

The following enactment was laid before the States, namely –

Civil Service Administration (Negotiation and Arbitration)  
(Jersey) Order, 1983. R & O 7187.

### **Agriculture and Fisheries Committee – appointment of member.**

THE STATES appointed Mr. Leonard René Hamel,  
Connétable of St. Clement as a member of the Agriculture and  
Fisheries Committee.

### **Matter noted – financial transaction.**

THE STATES noted an Act of the Finance and Economics  
Committee dated 1st June, 1983, showing that in pursuance of

Rule 5 of the Public Finances (General) (Jersey) Rules, 1967, as amended, the Committee had noted that the Housing Committee had accepted the lowest of eight tenders, namely that submitted by Syvret and Turner Limited, in the sum of £224,116 in a contract period of 35 weeks for the provision of 2 two-bedroomed units, 2 three-bedroomed units and 1 four-bedroomed unit of accommodation at Britannia House, Mont Mado, St. John.

### **Matters lodged.**

The following subjects were lodged “au Greffe” –

1. **Magistrates’ Courts and Superintendent Registrar: new accommodation. P.91/83.**

Presented by the Public Works Committee. The States decided to take this subject into consideration on 28th June, 1983.

2. **Committee of Inquiry into Parish Rates. (P.81/83): amendment. P.92/83.**

Presented by Senator Richard Joseph Shenton.

3. **Victor Hugo Site: acquisition for residential development. P.93/83.**

Presented by the Housing Committee. The States decided, on the proposition of Deputy Anthony John Perkins of St. Clement, to take this subject into consideration on 26th July, 1983, having rejected the request of the President of the Housing Committee that the subject be considered on 28th June, 1983.

### **Chief Officers – Staff Associations and Trade Unions. Question and answer.**

Senator Ralph Vibert asked Senator John Clark Averty, President of the Establishment Committee, the following question –

“At last week’s Sitting of the States, in answer to questions asked by Senator John Philip de Carteret, the President of the Postal Committee stated, ‘inter alia’, that, in his view, there was nothing wrong in principle in a

Chief Officer belonging to and participating in the deliberations of a Staff Association or Trade Union.

Does the President share this view?"

The President of the Establishment Committee replied as follows –

“As a matter of principle I am not in favour of Chief Officers being members of, and in particular taking an active part in the affairs of, the Civil Service Association.

Chief Officers are the first line of Management and it is one of their prime responsibilities to advise Committees on all matters affecting their staff and equally to explain and implement any decision once taken.

The Chief Officers are aware of my views because this subject has been discussed on a number of occasions.

I am also fully aware of the reasons that led many of them to join the Association, a long-running dispute which was eventually solved through the offices of the Association.

I appreciate the view of several Chief Officers that it would be improper to leave the Association when they had solved the problem which caused them to join.

I understand their argument that their membership enables them to exercise leadership and moderation in Association affairs.

However, I personally do not agree with either of these points of view. Without questioning the loyalty or integrity of any officer, I believe conflicts of interest are bound to arise from time to time.

It is at those times when clear statements and explanations of the opposing points of view are necessary because that is the first essential in arriving at an agreement. That is when the Chief Officer has a vital

management role and it should be, and be seen to be, undertaken with single-mindedness and not affected by questions of dual loyalty.

I would wish to take this opportunity to state that the Establishment Committee is taking significant steps to improve its relations with Chief Officers. All papers concerning policy are now circulated to Chief Officers for their comments before the Committee decides to implement such a policy. This two-way dialogue is proving most useful to the Committee and to Chief Officers and is leading to better decisions being taken and their being more readily accepted.

Also we are meeting regularly with a representative group of Chief Officers and this is greatly assisting our mutual understanding and will, I am sure, lead to a more effective administration.

Considerable progress is therefore being made and I believe that, given time, the principle that I outlined earlier, that Chief Officers should not be members of the Civil Service Association, will become generally accepted.

In the meantime I do not believe compulsion in this matter would have the desired result.”

### **States Tenants and the effect of changes in Parish Rates. Questions and answers.**

Deputy Robin Ernest Richard Rumboll of St. Helier asked Deputy Hendricus Adolphus Vandervliet of St. Lawrence, President of the Housing Committee, the following questions –

- “1. Does the President of the Housing Committee agree that the changes in the basis of assessment of rental values for the purposes of the Parish Rate (Administration) (Jersey) Law, 1946 which have been generally implemented this year by assessment committees of each Parish, will have the effect of generally reducing the foncier rates payable by

landlords of tenanted properties, including the Housing Committee as landlord of States houses?

2. Does the President further agree that the changes referred to in my first question will have the effect generally of increasing the occupier's rate payable by the tenants of States houses?
3. Can the President inform the House whether, in presenting the 1983 estimates of the expenditure of the Housing Committee for Rates and insurance in respect of States houses owned by the Committee (vote 5414 – £505,000), any account was taken of the likely reduction of the foncier rates payable by the Committee in 1983?
4. Can the President inform the House of the approximate total savings on the 1983 estimates of expenditure on Parish foncier rates resulting from the changes in the basis of assessment referred to in my first question?
5. Would the President agree to consider bringing proposals to this House at the earliest possible date, to apply any saving enjoyed by the Housing Committee from the reduction in the Parish foncier rates, to alleviate the financial burden likely to be imposed on States tenants in 1983 as a result of the increased occupiers' rates payable?"

The President of the Housing Committee replied as follows –

- “1. Yes.
2. Yes.
3. No. When the 1983 Estimates were prepared in June 1982, the Parishes were in fact predicting an increase in rate payments. Because of this and, to meet the Budget target set by the Finance and Economics Committee, my Committee had to transfer £105,000 from its Capital Account, to balance its Revenue Budget.

4. Possibly up to £300,000, based on the rate presently estimated by each of the Parishes.
5. The change in the basis of rate assessments will mean increased payments for private sector tenants, as well as for States' tenants and owner/occupiers. States' tenants already benefit from an income-related rent rebate scheme but, private sector tenants do not. To introduce a rate rebate scheme for States' tenants alone would, therefore, be inequitable. My Committee feels that any rate rebate scheme should be the responsibility of the Parishes and would draw attention to the fact that Article 19 of the Parish Rate (Administration) (Jersey) Law, 1946, gives the Connétables the power to reduce or remit the payment of the rate due by any person, on account of the financial hardship which would be caused to such person. So far as the Committee is concerned, any savings in Vote 5414 which remain unspent at the end of the financial year, will be returned to the General Reserve."

### **Seismic Activity in Jersey – reservoirs. Statement.**

The President of the Island Development Committee made a statement in the following terms –

“During the course of its consideration of the Jersey New Waterworks Company’s development application for a reservoir in Queen’s Valley, the Island Development Committee became concerned over two matters that appeared to need more consideration. These were possible seismic activity (natural or induced) and what was described as the ‘flood plain’ below the projected dam.

The Committee called for more information on both these aspects and, finally, met Mr. R.M. Clarke, Managing Director, Jersey New Waterworks Company Limited, on April 15th, 1983. Mr. Clarke was accompanied by Mr. A.J.H. Winder, a Panel I Engineer and Partner of the Consultants, Messrs. Watson, Hawksley of High

Wycombe and Mr. P. Horswell, an Engineering Geologist employed by the same Consultants.

That meeting allayed the Committee's concern over the flood plain; but re-opened questions as to seismic activity in Jersey.

The States will recall that during the November 1981 debate on the Queen's Valley reservoir, several members suggested as a possible alternative the building of a rockfill dam in front of the concrete dam at Val de la Mare. This was attractive especially as it could create more extra storage capacity than Queen's Valley. It was dismissed by the President of the Public Works Committee largely on the grounds that a recent report to the Company from Messrs. Watson, Hawksley had claimed that 'there appears to be an active fault that crosses the foundation of the present dam'. Seismic monitoring over a period of at least twenty years would be needed to test its significance.

It came as a surprise to the Island Development Committee, therefore, to receive a report from Messrs. Watson, Hawksley in February of this year claiming that:

'Jersey is known to be one of the most active areas seismically in the British Isles ... ..  
Geological data has also been used to assess the possible state of activity of a fault identified at the (Queen's Valley) dam site during the 1975 investigations. It was concluded that, since there is no evidence of any movement on this or any other known fault on Jersey during the past 25,000 years, the fault can be assumed to be inactive'.

When questioned at the meeting described above about this apparent discrepancy between his views in 1981 and 1983, Mr. Horswell told the Committee that the letter of 1981 has merely expressed a possible hypothesis as to a slight movement at Val de la Mare which he now discounted. He expressed surprise that his reservation then about seismic activity at Val de la Mare had been used to any effect in the States debate of 18th November, 1981. He went on to express the opinion that in any case a rockfill dam would resist seismic shaking."

**St. Helier Traffic Plan.**

THE STATES continued consideration of the Proposition of the Public Works Committee regarding the St. Helier Traffic Plan and, the Committee having withdrawn paragraph 3(c) to approve road junction improvements at the Robin Hood junction, adopted the relettered sub-paragraphs and –

approved road junction improvements –

(b) at the junction of St. Saviour's Road with Wellington Road; and

(c) at the junction of La Route du Fort and Green Street;

and adopted paragraph 4 approving in principle the extension of Green Street Car Park to accommodate an additional 200/250 cars.

Deputy Michael Adam Wavell of St. Helier, having declared an interest in sub-paragraphs (c) and (d) of paragraph 3 of the original Proposition, withdrew from the Chamber.

**Public 18-hole golf course.**

THE STATES, having accepted an amendment of the Tourism Committee that for the word "municipal" there should be substituted the word "public" and after the words "Island Development Committee" there should be inserted the words "to bring to the States a Proposition", adopted the Proposition of that Committee and, agreed in principle, to the provision of a public 18-hole golf course and requested the Island Development Committee to bring to the States a Proposition to rezone an area of land suitable for the purpose.

**Loi (1983) sur la Cour pour le recouvrement de menus dettes.**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Loi (1983) sur la Cour pour le recouvrement de menus dettes.



**Criminal Justice (Miscellaneous Provisions) (Jersey) Law, 1983.**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Criminal Justice (Miscellaneous Provisions) (Jersey) Law, 1983.

**Control of Food (Jersey) Regulations, 1983.**

THE STATES, by virtue and in exercise of the powers conferred on them by the Order in Council of the fourteenth day of April, 1884, made Regulations entitled the Control of Food (Jersey) Regulations, 1983.

**Office of Judicial Greffier (Jersey) Law, 1983.**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Office of Judicial Greffier (Jersey) Law, 1983.

**Housing Committee – development proposals for 1984.**

THE STATES, adopting a Proposition of the Housing Committee, approved in principle that Committee's development proposals for 1984 as follows –

Building, purchase and rehabilitation of dwellings –

Aquila Close, St. Helier

Building on land yet to be acquired

Purchase and rehabilitation of dwellings.

THE STATES rose at 4.20 p.m.

**R.S. GRAY,**

*Deputy Greffier of the States.*