



STATES OF JERSEY ORDER PAPER

Tuesday 19th March 2013

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Community Provisions (Restrictive Measures – Zimbabwe) (No. 6) (Amendment No. 6) (Jersey) Order 2013. R&O.32/2013.
Chief Minister.

C. DOCUMENTS PRESENTED OR LAID

Liberty Bus: reinstatement of Route 18 to Le Squez and Le Marais – comments. P.28/2013.
Presented: 12th March 2013. Com.
Minister for Transport and Technical Services.

Jersey Police Complaints Authority: report for 2012. R.17/2013.
Presented: 11th March 2013.
Minister for Home Affairs.

Draft States of Jersey (Minister for External Relations) (Jersey) Regulations 201-: R.18/2013.
report of the Chief Minister.
Presented: 11th March 2013.
Chief Minister.

States of Jersey Law 2005: delegation of functions – probationary period of police constables. R.19/2013.
Presented: 12th March 2013.
Minister for Home Affairs.

Jersey Electricity Report and Accounts 2012: Sustainability for life, growth and prosperity. R.20/2013.
Presented: 13th March 2013.
Minister for Treasury and Resources.

Affordable Housing Gateway: Year End Performance Report at 31st December 2012. R.21/2013.
Presented: 15th March 2013.
Minister for Housing.

Public Lotteries: report for 2012. R.22/2013.
Presented: 15th March 2013.
Minister for Economic Development.

Ash Disposal (S.R.20/2012): response of the Minister for Transport and Technical Services. S.R.20/2012.
Presented: 8th March 2013. Res.(2)
Minister for Transport and Technical Services.



D. NOTIFICATION OF LODGED PROPOSITIONS

Jersey Music Service: introduction of 'user pays' charges.
Lodged: 8th March 2013.
Minister for Education, Sport and Culture.

P.36/2013.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – **Written Questions**
(*attached*)

1. The Minister for Economic Development will table an answer to a question asked by Senator A. Breckon regarding the employment of Public Relations Consultants during 2011 and 2012.
2. The Minister for Housing will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the generation of 150 two bedroom rental homes on the Summerland and Ambulance station sites.
3. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the available budget for the development of 150 category 'A' residential units on the Summerland site.
4. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by the Connétable of St. Lawrence regarding the use of Members' facilities in the States building to promote any of the referendum options.
5. The Minister for Home Affairs will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the creation of legislation addressing 'death by careless driving'.
6. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding changes to eligibility rules for States housing and rental payments.
7. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the release to members of the Wilcox Report and other research documentation into the social impact of the Housing Transformation Programme.
8. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the transfer of staff from Connex to CTPlus.
9. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding blood screening of residents near to the Bellozanne facility.



10. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the health screening of employees at the Bellozanne facility.
11. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the processing of complaints against the States of Jersey Police.
12. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the failure of the Data Protection Commissioner to take action regarding alleged data protection breaches.
13. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Business Case for the Housing Transformation Programme.

(b) – Oral Questions

(120 minutes)

1. Deputy T.M. Pitman of St. Helier will ask the following question of H.M. Attorney General –

“Will H.M. Attorney General inform the Assembly what procedures are followed in the event of a vacancy in the office of Dean of Jersey and who is responsible for making any appointment to the post?”
2. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“Could the Minister explain whether the grant of a loan and possible stamp duty removal for the recently initiated Parish sponsored property development in Trinity will reduce the cost of first time buyer homes, and, if so, how?”
3. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –

“Does the Chief Minister consider that, with only 15 apprentices aged 16 to 22, the States is doing all it can to address of unemployment amongst young people; what extent will “Advance to Work” or “Trackers” placements play a role in improving this situation and does he believe that these schemes are adequate substitutes for full apprenticeships?”
4. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Housing –

“How did the Minister determine that ‘some 150 two bedroom units’ could be built on the Summerland and Ambulance site, as stated in his comments on P.92/2012 (‘Police Station Relocation: review of decision’) and on what were these calculations based?”
5. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Planning and Environment –

“Will the Minister provide the Assembly with an explanation for his decision to call in to a Ministerial meeting on 8th March 2013 a planning application which was previously approved by the Planning Applications Panel on 24th January 2013, thereby overriding the Panel’s decision?”
6. Deputy G.C.L. Baudains of St Clement will ask the following question of the Chief Minister –

“Given that three months have passed since the Chief Minister, in response to my question regarding departmental restructuring on 11th December 2012, agreed to issue a paper updating members on the issue, could he advise not only what is being done and how advanced the work is, but also who is involved in doing it?”



7. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Will the Minister advise whether the agreement with CTPlus stated that there were to be no changes to the staff’s terms and conditions for 1 year and, if so, will he confirm that this did not happen, explain why and outline the reasons why the company’s compliance with this agreement was not enforced?”

8. The Deputy of St. Peter will ask the following question of the Minister for Treasury and Resources –

“Given the current economic situation and the shortage of affordable housing, would the Minister be prepared to identify further funding to acquire additional sites that could be brought forward in the next 2 years?”

9. The Connétable of St. Martin will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister advise Members why domestic type wheelie bins have been positioned at sites of special interest, such as those recently installed along St Catherine’s promenade, what alternatives, if any, were available and does he consider that the style and location of such bins enhances the natural beauty of our coastline?”

10. The Connétable of St Peter will ask the following question of the Minister for Transport and Technical Services –

“Will the Minister advise members of all the roads his Department administers in the Parish of St. Helier that have residents parking areas; the number of residential parking spaces on each road and what would the annual parking income be form these spaces, if Residential Permits were not in place?”

11. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of H.M. Attorney General –

“Would H.M. Attorney General explain how the appointment and management of day to day performance in regard to the Dean is divided as between the Crown and the Bishop of Winchester?”

12. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Planning and Environment –

“Will the Minister advise the Assembly whether he has decided to re-open the Planning Inquiry for Plemont Holiday Village in response to the submission he has received and, if not, advise when he intends to reply to this submission and detail his intentions regarding the Planning Obligation agreement while he considers his decision on the submission?”

13. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Housing –

“In the light of 2011 total rental income of £36.1million, will the Minister explain to members what assumptions have gone into the summary financial projection of £240 million for the Housing Company for rental income in years 1 to 5, and which of these factors apply across the 30 year plan to produce growth in rental income of up to 4.8% annually?”



14. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister advise whether all the units of accommodation to be created at the Summerland site will be category ‘A’ social rental, will they be developed by a housing trust, the States of Jersey Development Company or a private developer and will he identify what budget, if any, is available for this?”

15. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Home Affairs –

“Will the Minister comment on the Police Complaints Authority Report regarding Data Protection Breaches by Police Officers and advise whether police officers are treated like ordinary members of the public who break the Data Protection (Jersey) Law 2005, and, if not, why not?”

16. Deputy T.M. Pitman of St. Helier will ask the following question of H.M. Attorney General –

“Given that in any other walk of life attempting to extract monies by submitting invoices/claims for work not actually carried out by individuals could be classed as attempted fraud, can allegations of fraud be brought by the public against lawyers or is the only available recourse via a disciplinary hearing with the Law Society?”

(c) – Questions to Ministers without notice (30 minutes) –

1st question period – Minister for Economic Development

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Green Initiative Fund: establishment. P.12/2013.
Lodged: 31st January 2013.

Deputy G.P. Southern of St. Helier.

Minimum Wage: revised hourly rate from 1st April 2013. P.25/2013.

Lodged: 11th February 2013.

Deputy G.P. Southern of St. Helier.

Draft Employment (Minimum Wage) (Amendment No. 9) (Jersey) Regulations P.13/2013.
201-

Lodged: 31st January 2013.

Minister for Social Security.

Draft Social Security (Amendment of Law No. 5) (Jersey) Regulations 201-. P.15/2013.

Lodged: 5th February 2013.

Minister for Social Security.



Draft Social Security (Amendment of Law No. 5) (Jersey) Regulations 201-(P.15/2013) – amendment. Lodged: 5th March 2013. <i>Deputy G.P. Southern of St. Helier.</i>	P.15/2013. Amd.
Beach House, Green Island, St. Clement: grant of a right to access through the sea wall. Lodged: 6th February 2013. <i>Minister for Treasury and Resources.</i>	P.16/2013.
Draft Restriction on Smoking (Advertising, Promotion and Display) (Jersey) Regulations 201-. Lodged: 6th February 2013. <i>Minister for Health and Social Services.</i>	P.17/2013.
Draft Restriction on Smoking (Amendment No. 3) (Jersey) Law 201-. Lodged: 7th February 2013. <i>Minister for Health and Social Services.</i>	P.18/2013.
Draft Residential Tenancy (Jersey) Law 2011 (Appointed Day) Act 201. Lodged: 8th February 2013. <i>Minister for Housing.</i>	P.19/2013.
Draft Amendment (No. 20) of the Standing Orders of the States of Jersey. Lodged: 15th February 2013. <i>Privileges and Procedures Committee.</i>	P.29/2013.
Draft Companies (Amendment No. 7) (Jersey) Regulations 201-. Lodged: 8th February 2013. <i>Minister for Economic Development.</i>	P.20/2013.
Channel Islands Lottery: allocation of profits for 2012. Lodged: 8th February 2013. <i>Minister for Economic Development.</i>	P.21/2013.
Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of Brazil. Lodged: 11th February 2013. <i>Chief Minister.</i>	P.22/2013.
Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of Latvia. Lodged: 11th February 2013. <i>Chief Minister.</i>	P.23/2013.
Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 6) (Jersey) Regulations 201-. Lodged: 11th February 2013. <i>Chief Minister.</i>	P.24/2013.
Independent Planning Appeals Tribunal: establishment. Lodged: 12th February 2013. <i>Deputy J.H. Young of St. Brelade.</i>	P.26/2013.



Liberty Bus: reinstatement of Route 18 to Le Squez and Le Marais. P.28/2013.
Lodged: 13th February 2013.
Deputy G.C.L. Baudains of St. Clement.

Liberty Bus: reinstatement of Route 18 to Le Squez and Le Marais – comments. P.28/2013.
Presented: 12th March 2013. Com.
Minister for Transport and Technical Services.

M. ARRANGEMENT OF PUBLIC BUSINESS

16th April 2013

Jersey Innovation Fund: establishment, funding and operation. P.124/2012.
Lodged: 20th November 2012.
Minister for Treasury and Resources.

Starter Home Deposit Loan Scheme. P.131/2012.
Lodged: 4th December 2012.
Minister for Treasury and Resources.

Island Plan 2011: wind-farms. P.27/2013.
Lodged: 12th February 2013.
Deputy G.C.L. Baudains of St. Clement.

Draft Taxation (Implementation) (Amendment) (Jersey) Law 201-. P.30/2013.
Lodged: 22nd February 2013.
Chief Minister.

Committee of Inquiry: costs for local businesses. P.31/2013.
Lodged: 25th February 2013.
Senator A. Breckon.

Jersey Competition Regulatory Authority: re-appointment of Chairman. P.32/2013.
Lodged: 28th February 2013.
Minister for Economic Development.

Draft States of Jersey (Amendment No. 6) Law 201-. P.34/2013.
Lodged: 5th March 2013.
Chief Minister.

Draft Register of Names and Addresses (Register Entries) (Jersey) Regulations P.35/2013.
201-.
Lodged: 5th March 2013.
Chief Minister.

30th April 2013

The Reform of Social Housing. P.33/2013.
Lodged: 4th March 2013.
Council of Ministers.

Jersey Music Service: introduction of ‘user pays’ charges. P.36/2013.
Lodged: 8th March 2013.
Minister for Education, Sport and Culture.

14th May 2013



Code of Conduct for Elected Members: Commissioner for Standards.
Lodged: 14th January 2013.
Privileges and Procedures Committee.

P.4/2013.

Draft Discrimination (Jersey) Law 201-
Lodged: 15th January 2013.
Minister for Social Security.

P.6/2013.

M.N. DE LA HAYE
Greffier of the States

14th March 2013

Note –

In accordance with the meeting dates fixed for 2013 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 20th and Thursday 21st March 2013.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.32/2013.

This Order further amends the Community Provisions (Restrictive Measures – Zimbabwe) (No. 6) (Jersey) Order 2007, to update it following Commission Implementing Regulation (EU) No. 145/2013 of 19th February 2013 (OJ L 47/63, 20.2.2013) amending Council Regulation (EC) No. 314/2004 concerning certain restrictive measures in respect of Zimbabwe. Those amendments alter the list of persons, entities and bodies whose funds are frozen, and the list of websites of competent authorities in member states.

The Order was made on 8th March 2013 and came into force on 9th March 2013.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Economic Development will table an answer to the following question asked by Senator A. Breckon –

“Would the Minister advise members if Public Relations Consultants were employed by the department during 2011 and 2012 and, if so, identify -

- (i) who they were and why they were used; and,
- (ii) how much they were paid in 2011 and 2012?”

2. The Minister for Housing will table an answer to the following question asked by Deputy J.A. Martin of St. Helier –

“Given that in his written comments to P.92/2012 (‘Police Station Relocation: review of decision’ (P.92/2012) the Minister for Housing stated that the ‘Summerland and Ambulance site could generate some 150 two bedroom rental homes’, would he advise -

- (a) from where the budget is coming for these units?
- (b) who will develop the site (the States, a housing trust or another)?
- (c) what assurances, if any, have been given that, should the site be sold, all development on the site will be category ‘A’ homes for social rental?

Now that Green Street has been selected as the preferred site for the new Police Headquarters, can the Minister give an indication as to when these social rental homes will be delivered?”

3. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy J.A. Martin of St. Helier –

“Can the Minister advise whether there is an existing budget or an identified funding source for the development of 150 category ‘A’ residential units on the Summerland site and, if not, would he explain how the units could be built on the site, as stated by the Minister for Housing in his written comments on P.92/2013 (‘Police Station Relocation: review of decision’ (P.92/2012))?”

4. The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by the Connétable of St. Lawrence –

“How is the Committee ensuring that Members’ facilities in the States building are not and will not be used by individual politicians or pressure groups to promote any of Options A, B or C of the referendum?”

5. The Minister for Home Affairs will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Minister advise when he will be giving his recommendations to the Minister for Transport and Technical Services regarding the creation of legislation addressing ‘death by careless driving’, so that the latter may bring draft legislation to the States for debate?”



6. The Minister for Housing will table an answer to the following question asked by Deputy G.P Southern of St. Helier –

“Will the Minister explain why the Housing Transformation Programme proposals have not addressed the advice from Professor Whitehead regarding Social Housing on pages 44 -45 of her Report that the ‘current eligibility criteria are very constraining’ such that ‘the waiting list is ... restricted to match the vacancies’ and that to meet the unmet need for ‘those in long term housing need, the appropriate size of the sector would be 20% or 25% (higher)’?”

In particular will he advise why –

- (a) no changes to eligibility rules for States housing have been proposed, and
- (b) the overall growth of the social housing sector proposed amounts only to 2% (84 additional properties) over 20 years?

Will he confirm that the additional rental income produced from those in receipt of Income Support (IS) will be as indicated on page 52 and will he produce similar figures for the additional rental income for those not in receipt of IS?

Will the Minister agree to circulate to States and private tenants a calculator to enable tenants to understand what the Minister’s proposals will mean to their rental payments in the short (1 year), medium (5 year) and long term (10 year)?”

7. The Minister for Social Security will table an answer to the following question asked by Deputy G.P Southern of St. Helier –

“Following the lodging of P.33/2013 and the presentation of R.15/2013, will the Minister release to members the Wilcox Report and other research documentation into the social impact of the Housing Transformation Programme previously withheld under exemption 3.2 (a)(xiv) - policy in development?

Given the intention of the Minister for Housing to maintain the payment in real terms of the housing component of Income Support (IS) (currently £26.1 million in 2013), will he give a detailed breakdown of the £67 million paid out in weekly benefit to IS claimants in 2011 in terms of adult, single parent, child, household, and rental (and other) components, giving a further breakdown of the rental component into States, Trust and private sector landlords?

Will he also demonstrate for members how the figures contained on page 52 of P.33/2013 showing a low cost for additional rent to be paid by IS can be related to the figures given in P.33 of overall change of rents from 69% (currently) to 90% of private sector rent levels?

Will the Minister provide for members a similar chart for incomes, given under 5.14 of P.33 (page 54) for those not in receipt of IS, for those who are receiving IS?”



8. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Further to his statement on 5th March 2013 that “CT Plus, now operating as Liberty Bus offered employment on the same key terms to all Connex staff who were eligible to transfer including in relation to pensions, holiday entitlement, health care, basic working hours, continuity of service entitlement.”, does the Minister consider that his use of the words “key terms” is misleading, in that the relevant clause of the Connex contract (18.3) has the words “on the same terms and conditions” and is therefore absolute and not open to the interpretation he has placed on it?

Does he believe that the five terms he refers to are all of the “terms and conditions” required in a bus workers contract which have to be the “same”, or are there others?

Will he list for members all the terms and conditions which are in the CT Plus and previous Connex contracts to demonstrate their differences, if any?

Does the Minister consider that he has failed to ensure that bus service tenders were accepted and judged under the terms of article 18.3 of the Connex contract?”

9. The Minister for Health and Social Services will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Further to the Minister’s responses to a written question asked on 19th February 2013 and to written and oral questions on 5th March 2013, would the Minister set out all the information the Department possesses regarding blood screening of residents close to the Bellozanne facility and, if not, why not?”

10. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister set out for members in detail all health screening of Transport and Technical Services employees who have worked at the Bellozanne facility together with frequency of testing, types of testing and anonymised results?”

11. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister advise members what action, if any, his Department takes when complaints are made to it regarding misconduct or wrongdoing by members of the States of Jersey Police and what it does to ensure that complaints are investigated in an effective and timely fashion?”

12. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Chief Minister advise members who they should contact regarding any failure of the Data Protection Commissioner to take action with regard to complaints made to that Office about alleged data protection breaches?”



13. The Minister for Housing will table an answer to the following question asked by Deputy G.P Southern of St. Helier –

“Will the Minister state on what basis the case is made for the Housing Transformation Programme in the Full Business Case in R.15/2013 in terms of

- (a) population/migration growth for the next 10, 20 and 30 years; and,
- (b) inflation over the same period?

How does the Minister justify such a radical change, in order to increase the social housing stock by only 1.8% (84 dwellings) over 30 years?

Does the Minister consider that the fundamental flaw in the financing of social housing for the last 2 decades has been the transfer of Housing rental revenues to the Treasury and, if so, why has he failed to address this?

Will the Minister explain how the annual payment of £26 million in real terms from the new Housing Authority to the Treasury is to be maintained?

Will he advise members what effect this continued payment has on the viability of the business case proposed in terms of the need to set the “fair rent” level at 90% of market levels and the need for continued sales of housing stock to fund future housing provision?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2013

1st Session 2013

April 16th	Housing	Planning and Environment
April 30th	Social Security	Chief Minister
May 14th	Transport and Technical Services	Home Affairs
June 4th	Treasury and Resources	Chief Minister
June 18th	Education, Sport and Culture	Health and Social Services
July 2nd	Economic Development	Chief Minister
July 16th	Housing	Planning and Environment

2nd Session 2013

September 10th	Social Security	Chief Minister
September 24th	Transport and Technical Services	Home Affairs
October 8th	Treasury and Resources	Chief Minister
October 22nd	Education, Sport and Culture	Health and Social Services
November 5th	Economic Development	Chief Minister
November 19th	Housing	Planning and Environment
December 3rd	Social Security	Chief Minister
December 10th	Transport and Technical Services	Home Affairs