

STATES OF JERSEY ORDER PAPER

Tuesday 4th March 2003

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Financial Services (Investment Business (Registration and Fees)) (Jersey) Order 2003. R&O 13/2003.
Finance and Economics Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

D. PRESENTATION OF PAPERS

(a) Papers for information

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

Public and private sector workflow projections. R.C.10/2003.
Economic Development Committee.

Jersey Council for Safety and Health at Work: report for the period 1st July 2001 to 30th June 2002. R.C.11/2003.
Employment and Social Security Committee.

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

Presented on 25th February 2003

Regulation of Undertakings and Development (Jersey) Law 1973: commentary on licences granted under Part II for the period to 31st December 2002. R.C.8/2003.
Economic Development Committee.

States of Jersey Law 1966, as amended: delegation of functions - Housing Committee. R.C.9/2003.
Housing Committee.

School Milk: provision for the years 2003, 2004 and 2005 (P.7/2003) - comments. P.7/2003. Com. (2)
Finance and Economics Committee. *(re-issue).*

Draft Parish Rate (Administration) (Amendment) (Jersey) Law 200- (P.16/2003): comments. P.16/2003. Com.
Legislation Committee.

(b) Notification of Standing Order decisions

26th February 2003

Decisions under delegated functions.
Finance and Economics Committee.

(c) Notification of acceptance of tenders

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

Health and Safety Appeal Tribunal: appointment of member. P.22/2003.
Employment and Social Security Committee.

Tax liability of essentially employed public sector employees. P.23/2003.
Deputy of St. John.

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

Presented on 25th February 2003

Public Employees Contributory Retirement Scheme Committee of P.21/2003.
Management: membership.
Policy and Resources 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 18th March 2003 -

Manual Workers’ Joint Council: membership. P.15/2003.
Lodged: 18th February 2003.
Policy and Resources Committee.

Draft Parish Rate (Administration) (Amendment) (Jersey) Law 200-. P.16/2003.
Lodged: 18th February 2003.
Connétable of St. Martin.

Draft Parish Rate (Administration) (Amendment) (Jersey) Law 200- P.16/2003. Com.
(P.16/2003): comments.
Presented: 25th February 2003.
Legislation Committee.

Public Employees Contributory Retirement Scheme Committee of P.21/2003.
Management: membership.
Lodged: 25th February 2003.
Policy and Resources Committee.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

The Deputy of St. John will ask a question of the President of the Policy and Resources Committee regarding the issuing of its minutes to States members.

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Education, Sport and Culture Committee regarding the transfer of certain facilities from Fort Regent to Le Rocquier School site.

The Deputy of St. John will ask a question of the President of the Environment and Public Services Committee regarding resident parking schemes.

The Deputy of St. Martin will ask questions of the President of the Home Affairs Committee regarding the Jersey Police Authority.

The Deputy of St. John will ask questions of the President of the Environment and Public Services Committee regarding building works at the St. James Centre.

The Deputy of St. John will ask a question of the President of the Harbours and Airport Committee regarding the sale of Field 790, St. Peter to the Jersey Rugby Club.

Deputy R.G. Le Hérisier of St. Saviour will ask a question of the President of the Education, Sport and Culture Committee regarding the recent report on Children's and Young People's Services.

Deputy R.G. Le Hérisier of St. Saviour will ask a question of the President of the Health and Social Services Committee regarding the recent report on Children's and Young People's Services.

Deputy R.G. Le Hérisier of St. Saviour will ask a question of the President of the Home Affairs Committee regarding the recent report on Children's and Young People's Services.

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Environment and Public Services Committee regarding Field 126, St. Clement.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Draft Housing (General Provisions) (Amendment No. 18) (Jersey) Regulations 200-. P.8/2003.
Lodged: 4th February 2003.
Housing Committee.

Jersey Heritage Trust: amendments to constitution. P.37/2002.
Lodged: 19th March 2002.
Deputy G.C.L. Baudains of St. Clement.

Jersey Heritage Trust: amendments to constitution (P.37/2002) - P.37/2002 -
comments. Com.
Presented: 18th February 2003.
Education, Sport and Culture Committee.

Draft Fire Service (Amendment No. 5) (Jersey) Law 200. P.3/2003.
Lodged: 21st January 2003.
Home Affairs Committee.

School milk: provision for the years 2003, 2004 and 2005. P.7/2003.
Lodged: 28th January 2003.
Deputy G.P. Southern of St. Helier.

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| School Milk: provision for the years 2003, 2004 and 2005 (P.7/2003) - comments. Presented: 18th February 2003. <i>Economic Development Committee.</i> | P.7/2003. Com. |
| School Milk: provision for the years 2003, 2004 and 2005 (P.7/2003) - comments. Presented: 25th February 2003. <i>Finance and Economics Committee.</i> | P.7/2003. Com. (2) <i>(re-issue)</i> |
| Simultaneous Electronic Voting: replacement for 'appel nominal'. Lodged: 4th February 2003. <i>Privileges and Procedures Committee.</i> | P.10/2003. |
| Draft Fishing Vessels (Safety Provisions) (Jersey) Regulations 200-. Lodged: 11th February 2003. <i>Harbours and Airport Committee.</i> | P.13/2003. |
| Draft Fishing Vessels (Safety Provisions) (Jersey) Regulations 200- (P.13/2003): amendments. Lodged: 18th February 2003. <i>Deputy G.C.L. Baudains of St. Clement.</i> | P.13/2003. Amd. |
| Draft Police Procedures and Criminal Evidence (Jersey) Law 2003 (Appointed Day) Act 200-. Lodged: 11th February 2003. <i>Home Affairs Committee.</i> | P.14/2003. |
| Construction Industry: grant of licences. Lodged: 18th February 2003. <i>Economic Development Committee.</i> | P.18/2003 |
| Members are asked to note that the Finance and Economics Committee has revised its comments to P.7/2003 and that these are provided under P.7/2003 Com.(2)(<i>re-issue</i>). | |

A.H. HARRIS
Deputy Greffier of the States

27th February 2003

Explanatory Note regarding subordinate legislation tabled at this meeting.

R&O 13/2003.

The purpose of this Order is to increase and consolidate the application and registration fees relating to investment business.

The Order was made on 26th February 2003, and comes into force on 1st April 2003.

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

26th February 2003

- (a) as recommended by the Harbours and Airport Committee, the lease to Aquamar Fisheries Limited of the small bunker room beneath Port Control, Victoria Pier, St. Helier Harbour, (Letting No. V32A- measuring 450 square feet), for the use of storing live fish, for three years from 1st August 2002, at an annual rent of £1,872 (representing a rate of £4.16 a square foot), payable six months in advance, and subject to annual review;
- (b) as recommended by the Environment and Public Services Committee, the purchase from the John Clive Le Seilleur Trust of an area of land (measuring approximately 90 square feet) to the front of the property known as No. 40 New Street, St. Helier, which had been incorporated within the public footpath, for the sum of £90, and on the basis that the Committee would be responsible for both parties' reasonable legal costs arising from this transaction;
- (c) as recommended by the Health and Social Services Committee, the renewal of the lease from Mr. Laurence John Goodall of the 'j' category two-bedroom property known as Le Chatelet, Wellington Road, St. Saviour, for occupation by an Environmental Health Officer, for a period of two years from 1st August 2002, with an option to renew for a further one year, at an annual rent of £11,387.10, subject to annual increases in line with the Jersey Retail Price Index, on the basis that each party would be responsible for its own legal costs arising from this transaction; and,
- (d) as recommended by the Housing Committee, the sale to the Jersey Homes Trust of a strip of land running through the underground area immediately under the Jubilee Promenade (adjacent to the Albert Pier Housing car park, at the Waterfront, St. Helier), in order that it might be incorporated into the comprehensive sale of the Waterfront Housing Development, for a nominal consideration of £10, on the basis that the Committee would be responsible for both parties' reasonable legal costs arising from this transaction.

QUESTION PAPER

(See Item G)

The Deputy of St. John will ask the following question of the President of the Policy and Resources Committee -

In January 2003, the Policy and Resources Committee announced that it would no longer be issuing its Part B minutes to States members. I raised certain concerns at the time with the President and would seek the President's confirmation whether the Policy and Resources Committee intends to bring a report and proposition to the States on this matter, or if not, the reasons why?

Deputy G.C.L. Baudains of St. Clement will ask the following question of the President of the Education, Sport and Culture Committee -

Will the President advise members of any current plans the Committee might have with regard to transferring certain facilities from Fort Regent to Le Rocquier School site, and, should this be the case, would he provide details of consultation with residents, Parish Authorities, and other bodies to date?

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

During recent months resident parking schemes have been put in place in St. Helier, and it is now illegal for non-residents to park in many of these areas without a permit. Will the President explain -

- (a) what provision has been made for the parking of vehicles which are servicing properties in the area?
- (b) what arrangements are there for visitors to park near the premises of persons living in these areas who are not in possession of a parking permit? and,
- (c) what arrangements are there for the collection of elderly people from their properties now that resident parking permits are required in these areas?

The Deputy of St. Martin will ask the following questions of the President of the Home Affairs Committee -

1. With regard to Part E, page 9 of the Constitution of the States of Jersey, otherwise referred to as the 'green sheets', last printed on 7th February 2003, and which page refers to the constitution of the Jersey Police Authority, will the President advise members regarding -

- (a) the position of the Chairman of the Jersey Police Authority, which appears to have been vacant since the retirement of the last Chairman in the Summer of 2001, and the steps taken since that time to appoint a replacement chairman, and when an appointment is likely to be made?
- (b) the position of the two members of the Jersey Police Authority, appointed from the Home Affairs Committee, and the two members from the Comité des Connétables, which appear to be vacant, and the reasons for the delays? and,
- (c) the position of the two Independent Members of the Jersey Police Authority, which appear to be vacant since the expiry of the term of office of the previous Members on 31st August 2002, and when appointments will be made in this respect?

2. On the 19th May 1998, the States approved the establishment of a Jersey Police Authority which has yet to be established by law.
 - (a) Will the President give the reasons for the delay in its legal establishment, and,
 - (b) will the President advise members of the steps the Committee will be taking to ensure that the Jersey Police Authority is functioning not only in accordance with the recommendations contained in P.184/1996 – “Police Services in Jersey: independent review”, adopted by the States on 5th November 1996, but also in accordance with P.49/1998 as amended.

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

1. Will the President inform members of the original estimated cost of renovating St. James Centre and whether there was any overspend in this regard, and, if so, by how much?
2. In November 1994, when the States approved the lease of the former St. James' Church, Vicarage and Gardens to the Jersey Arts Trust, certain concern was expressed by the then Connétable of St. Helier regarding the cost of ongoing maintenance works arising from the renovation of the buildings. Will the President confirm whether there is currently a water ingress problem with the windows of the St. James Centre building, and, if so, whether any remedial work will be taken and at what cost to the States, and whether there are any other maintenance works to be undertaken and the cost of such works, to the States, if so required.

The Deputy of St. John will ask the following question of the President of the Harbours and Airport Committee -

- (a) During the recent States debate on Field 790, St. Peter, following which it was agreed that the field would be sold to the Jersey Rugby Club for £11,000 and the public would be responsible for supplying and building a fence along the western boundary, the President was unable to provide details of the cost of the fence at the time.

Will the President inform members of the cost of supplying and erecting the fence and whether or not the funding is to come from the Committee's budget. If not, from which source will the funding be provided?

- (b) Will the President inform members if Field 790 had been independently valued and when, or if not, will he give the reason why this was not carried out?
- (c) Will the President confirm whether any officer from the Airport Administration or Planning or Property Services Departments, who were directly or indirectly involved in the negotiations regarding the sale of Field 790, had been a member of, or player for, the Jersey Rugby Football Club at any time since negotiations began in 1993?
- (d) Will the President give details of the sale of Field 790, St. Peter, indicating whether the land will be sold to the Jersey Rugby Club or the Jersey Rugby Club Limited, and will he also give details of any provisions in the event of the dissolution of either the Jersey Rugby Club or the Jersey Rugby Club Limited going out of business, and what will happen to the assets of the Club in such circumstances?

Deputy R.G. Le Hérisssier of St. Saviour will ask the following question of the President of the Education, Sport and Culture Committee -

With reference to the recent report on Children and Young People's Services, and more specifically to the educational aspects contained in it, would the President indicate whether the follow-up action will

identify where responsibility for the serious deficiencies lies, and if so, what action does the Committee propose to take?

Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the President of the Health and Social Services Committee -

With reference to the recent report on Children and Young People's Services, and more specifically to the health aspects contained in it, would the President indicate whether the follow-up action will identify where responsibility for the serious deficiencies lies, and if so, what action does the Committee propose to take?

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

With reference to the recent report on Children and Young People's Services, and more specifically to the sections relating to the Young Offenders Institution and Women's Wing at H.M. Prison, La Moye contained in it, would the President indicate whether the follow-up action will identify where responsibility for the serious deficiencies lies, and if so, what action does the Committee propose to take?

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

Subsequent to the advertisement of a fresh planning application for Field 126, St. Clement, the Connétable of St. Clement wrote to the President on 29th January 2003, asking, among other things, if the Environment and Public Services Committee would give an assurance that no decision would be made on the current application until the proposition lodged by Senator C.G.P. Lakeman, P.98/2002, was debated.

In the absence of the giving of such an assurance, would the President –

- (a) confirm that the Committee will defer determination of the current planning application for Field 126 until either P.98/2002 or my proposition, P.17/2003, has been debated by this Assembly?
- (b) advise when the Committee will respond to my proposition (P.17/2003) lodged on 18th February 2003, which was specifically intended to permit the States to debate the matter in advance of the Committee's determination of the latest application?