



**THE STATES assembled on Tuesday,
17th January, 1989 at 10.15 a.m. under
the Presidency of the Bailiff,
Sir Peter Crill, C.B.E.**

His Excellency The Lieutenant Governor,
Admiral Sir William Pillar, G.B.E., K.C.B.,
was present.

All members were present with the exception of –

Edwin Le Gresley Godel, Connétable of St. Mary – out
of the Island.

Jack Roche, Deputy of St. Saviour – ill.

Sir Martin Le Quesne, Deputy of St. Saviour – out of
the Island.

Graeme Ernest Rabet, Deputy of St. Helier – out of the
Island.

Prayers

**Royal Visit – Her Majesty The Queen and His Royal Highness
Prince Philip, The Duke of Edinburgh.**

The Bailiff informed the House officially of the forthcoming visit of Her Majesty The Queen and His Royal Highness Prince Philip, The Duke of Edinburgh, on 25th May, 1989.

Senator Reginald Robert Jeune expressed the pleasure which news of the visit had given to all Members of the House and proposed the appointment of a Royal Visit Committee.

THE STATES agreed to form a Committee under the Chairmanship of the Bailiff comprising the following –

President, Finance and Economics Committee
President, Harbours and Airport Committee
President, Public Works Committee
President, Education Committee
Connétable of St. Helier
Senior Deputy

Deputy S.M. Baudains of St. Helier: welcome.

The Bailiff, on behalf of the Members of the States, welcomed to the Assembly the newly elected Deputy of St. Helier (No. 3 District), Mrs. Shirley Margaret Baudains.

Subordinate legislation tabled.

The following enactments were laid before the States, namely –

1. Pilotage (Dues and Fees) (Jersey) Order, 1988. R & O 7857.
2. Amendment (No. 10) to the Tariff of Harbour and Light Dues. R & O 7858.
3. Road Traffic (Public Parking Places) (Amendment No. 7) (Jersey) Order, 1988. R & O 7859.
4. Road Traffic (Saint Helier) (Amendment No. 4) (Jersey) Order, 1988. R & O 7860.
5. Road Traffic (Saint Lawrence) (Amendment No. 9) (Jersey) Order, 1988. R & O 7861.
6. Road Traffic (Saint Peter) (Amendment No. 8) (Jersey) Order, 1988. R & O 7862.

7. Misuse of Drugs (General Provisions) (Jersey) Order, 1989. R & O 7863.
8. Misuse of Drugs (Designation) (Jersey) Order, 1989. R & O 7864.
9. Misuse of Drugs (Safe Custody) (Amendment) (Jersey) Order, 1989. R & O 7865.
10. Misuse of Drugs (Modification) (Jersey) Order, 1989. R & O 7866.
11. Misuse of Drugs (Addicts) (Amendment No. 2) (Jersey) Order, 1989. R & O 7867.
12. Agriculture (Poisonous Substances) (Amendment) (Jersey) Order, 1989. R & O 7868.
13. Airport Dues (Tariff) (Jersey) Order, 1989. R & O 7869.
14. Water (General Provisions) (Jersey) Byelaws, 1988.
15. Export of Agricultural Produce (Amendment No. 7) (Jersey) Order, 1989. R & O 7870.
16. Road Traffic (Grouville) (Jersey) Order, 1989. R & O 7871.

Social Security Committee: appointment of member.

THE STATES appointed Deputy Shirley Margaret Baudains of St. Helier as a member of the Social Security Committee in place of the late Deputy Philip George Mourant of St. Helier.

Cottage Homes Committee: appointment of member.

THE STATES appointed Deputy Shirley Margaret Baudains of St. Helier as a member of the Cottage Homes Committee in place of the late Deputy Philip George Mourant of St. Helier.

Health insurance exception: criteria for claims (P.74/88) – report. P.6/89.

The Finance and Economics Committee by Act dated 9th January, 1989, presented to the States a report on the Proposition of Senator Betty Brooke regarding the criteria for the award of health insurance exception (P.74/88 – lodged on 14th June, 1988).

THE STATES ordered that the said Report be printed and distributed.

Matters noted – land transactions.

THE STATES noted Acts of the Finance and Economics Committee, dated 12th December, 1988 and 9th January, 1989, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Public Health Committee, the leasing from Mr. David Philip Alexander Rondel of the property Hillside Cottage, La Valette, Mont Cambrai, St. Lawrence, for a period of six months, at a weekly rent of £120, required for occupation by an essential employee;
- (b) as recommended by the Public Health Committee, the leasing to Mr. Barry Clement Rondel of Field 1547, Westmount, St. Helier, for a further period of one year from 1st January, 1989, at an annual rent of £60;

- (c) as recommended by the Island Development Committee, the leasing to Mr. Vernon Stuart Pallot of part of Field 724, Grouville, measuring 5½ vergées, for a period of three years, from 25th December, 1986, at an annual rent of £180;

- (d) as recommended by the Defence Committee, the annulment of the lease to Mr. Maurice Kergozou de la Boissiere of Fields 116 and 117, Crabbé, St. Mary, and to the leasing to him for a period of two years commencing 25th December, 1988, of Field 330, measuring 2.86 vergées at an annual rent of £114.40 and Field 331, measuring 2.73 vergées at an annual rent of £109.20;

- (e) as recommended by the Housing Committee, the granting to The Jersey Electricity Company Limited of a wayleave to service the Bingham Court Phase III development, as shown on Plan No. 1517-11C, with each side being responsible for the payment of its own legal fees;

- (f) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from the Parish of St. Helier of 262 square feet of land at Devonshire Mews, St. Helier, for a consideration of £10, required in connexion with the Devonshire Mews development, with the Committee being responsible for the payment of legal fees;

- (g) as recommended by the Housing Committee, the cession free of charge by B.G. Romeril and Company Limited of the moiety of a party wall bordering the eastern side of the Devonshire Mews development site, and also to the cession by the company of the right to join to the property, with the Committee being responsible for the payment of legal fees;

- (h) as recommended by the Public Works Committee, the purchase from Mrs. Sally Caroline Anne Le Brocq, née Harrison, of 580 square feet of land being part of the site of the electricity sub-station at Samarès, St. Clement, together with an additional area of 150 square feet from Field No. 102B, St. Clement, lying to the east of that site, for a consideration of £1,460, with the Committee being responsible for the costs of accommodation works and the payment of legal fees;
- (i) as recommended by the Public Works Committee, the cession, free of charge, by St. Brelade's Bay Hotel Properties Limited of 90 square feet of land in front of the St. Brelade's Bay Hotel, St. Brelade, with the Committee being responsible for the cost of accommodation works and the payment of legal fees;
- (j) as recommended by the Public Works Committee, the leasing to Gorey Boat Builders Limited of the Anchorage and Quarry, Gorey Pier, for a further period of nine years, from 29th September, 1988, at an annual rent of £9,040, with rent reviews to be undertaken every three years in line with prevailing market forces;
- (k) as recommended by the Harbours and Airport Committee, the leasing to the R.N.X.R. of the Old Watch Tower, Victoria Pier, Port of St. Helier, for a period of nine years, from 1st January, 1989, at an annual rent of £50;
- (l) as recommended by the Harbours and Airport Committee, the leasing to Huelin-Renouf Air Freight Limited of Bays 9 and 10 in the Airport freight terminal building, comprising 2,880 square feet of cargo/warehouse space, for a further three-year period, with effect from 1st January, 1989, at an annual rent of £8,640;

- (m) as recommended by the Harbours and Airport Committee, the leasing to La Motte Garages Limited of 433 square feet of office accommodation on the first floor of the Airport arrivals hall for a period of three years, from 1st January, 1989, at an annual rent of £2,814.50;

- (n) as recommended by the Public Works Committee, the purchase from Mr. John Edward Le Cornu and Mr. David Mallett Le Cornu of an area of land at Greenfield Cottages, La Rocque, Grouville, measuring 873 square feet, required for road widening purposes, for a consideration of £1,746, with the Committee being responsible for reasonable accommodation works and all the legal costs; (The Committee rescinded its Act No. 1 of 19th September, 1988, which was notified to the States on 27th September, 1988).

- (o) as recommended by the Agriculture and Fisheries Committee, the leasing to Mr. Michael Charles Overbury of grazing land measuring 21.27.0 vergées and outbuildings, at the property known as La Grande Maison, St. Catherine, St. Martin, for a period of one year commencing 25th December, 1988, at an annual rent of £1,800;

- (p) as recommended by the Agriculture and Fisheries Committee, the leasing to Mr. Philip Perchard of the potato land (côtils) at the property known as La Grande Maison, St. Catherine, St. Martin, measuring 9.31.0 vergées, for a period of one year commencing 25th December, 1988, at an annual rent of £100 a vergée;

- (q) as recommended by the Establishment Committee, the leasing from Mr. Philip Francis Le Cuirot and Mrs. Daphne Rebecca Le Cuirot, neé Marsh, of the property known as The Flat, La Petite Commune, Rue de la Commune,

St. Saviour, for a period of three years from 11th November, 1988, at an annual rent of £5,200, with annual rent reviews in line with the Jersey Cost of Living Index, required for occupation by an essential employee appointed on a contract basis;

- (r) as recommended by the Establishment Committee, the leasing from Mrs. Olivia Cumming-Butler, née Harris, of Flat 2, Elliston House, The Bulwarks, St. Aubin, for a further period of one year, with effect from 1st December, 1988, at an annual rent of £6,864, required for occupation by an essential employee appointed on a contract basis.

Matters noted – financial transactions.

THE STATES noted Acts of the Finance and Economics Committee dated 9th January, 1989, 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 –

- (a) the lowest of six tenders, namely that submitted by Regal Construction Limited in the sum of £403,494.72 in a contract period of 40 weeks for the construction of a three-storey block of flats at Highbury Court (Phase II), St. Mark's Road, St. Helier;
- (b) the lowest of three tenders, namely that submitted by R.J. Wilkinson Limited in the sum of £85,607.00 in a contract period of 26 weeks for the provision of two one-bedroomed flats with individual tenants' stores and car parking at St. Martin's Arsenal infill scheme.

Matters lodged.

The following subject was lodged "au Greffe" –

First Report: the management of States business. P.3/89.

Presented by the House Committee. The States decided to take this subject into consideration on 21st February, 1989.

The following subjects were lodged on 20th December, 1988 –

1. **Loan scheme for fishermen. P.173/88.**
Presented by the Finance and Economics Committee.
2. **Hostel for homeless teenagers. P.174/88.**
Presented by the Education Committee.
3. **Draft Family Allowances (Jersey) Regulations, 198 . (P.168/88): amendment. P.175/88.**
Presented by Senator Dereck André Carter.
4. **Draft Motor Traffic (Third-Party Insurance) (Amendment No. 7) (Jersey) Law, 198 . P.176/88.**
Presented by the Defence Committee.

The following subjects were lodged on 10th January, 1989 –

1. **Field 967, La Rue de la Vallée, St. Mary: rezoning of land. P.1/89.**
Presented by the Island Development Committee.
2. **Third Amendments to Policy and Resources Committee and Finance and Manpower Committee: appointment (P.117/88). P.2/89.**
Presented by the Special Committee on machinery of government.

Arrangement of Public Business for Spring Session.

THE STATES decided to take the undermentioned subjects into consideration on –

17th January, 1989

Draft Finance (Jersey) Law, 198 . P.169/88.
Lodged in 2nd Reading on 6th December, 1988.
Finance and Economics Committee.

Tree Advisory Council: additional vote of credit. P.171/88.
Lodged: 13th December, 1988.
Finance and Economics Committee.

Loan scheme for fishermen. P.173/88.
Lodged: 20th December, 1988.
Finance and Economics Committee.

24th January, 1989

Policy and Resources Committee and Finance and Manpower Committee: appointment. P.117/88.
Lodged: 27th September, 1988. Paragraph 1 adopted as amended on 8th November, 1988.
Special Committee on the review of machinery of government.

Amendments to Policy and Resources Committee and Finance and Manpower Committee: appointment. P.145/88.
Deputy Sir Martin Le Quesne of St. Saviour.

Second amendments to Policy and Resources Committee and Finance and Manpower Committee: appointment. P.146/88.
Special Committee on the review of machinery of government.

Third Amendments to Policy and Resources Committee and Finance and Manpower Committee: appointment. P.2/89.
Lodged: 10th January, 1989.
Special Committee on machinery of government.

Hostel for homeless teenagers. P.174/88.
Lodged: 20th December, 1988.
Education Committee.

Field 967, La Rue de la Vallée, St. Mary: rezoning of land. P.1/89.
Lodged: 10th January, 1989.
Island Development Committee.

31st January, 1989

Draft Lodging Houses (Registration) (Amendment) (Jersey) Law,
198 . P.170/88.
Lodged: 13th December, 1988.
Housing Committee.

14th February, 1989

Draft Family Allowances (Jersey) Regulations, 198 . P.168/88.
Lodged: 6th December, 1988.
Social Security Committee.

Draft Family Allowances (Jersey) Regulations, 198 : amendment.
P.175/88.
Lodged: 20th December, 1988.
Senator D.A. Carter.

No dates were fixed for the following –

Draft Evidence (Criminal Proceedings in other Jurisdictions)
(Jersey) Law, 198 . P.6/88.
Lodged: 26th January, 1988.
Legislation Committee.

Entry controls for visitors to Jersey. P.10/88.

Lodged: 2nd February, 1988.

Deputy M.C. Buesnel of St. Helier.

Public 18-hole Golf Course: La Moye Farm/Les Creux, St. Brelade – rescission of Act of the States. P.35/87.

Lodged: 17th February, 1987.

Senator R.J. Shenton.

(Finance and Economics Committee comments refer – P.135/87.

P.112/86 also refers.

Partially debated 1st March, 1988. Island Development Committee feasibility study on Les Quennevais also refers).

Public 18-hole Golf Course; Les Landes, St. Ouen. P.139/84.

Lodged: 25th September, 1984.

Deputy J. Le Gallais of St. Saviour.

Public 18-hole golf course: rezoning of land at Les Quennevais, St. Brelade. P.119/88.

Lodged 4th October, 1988.

Senator R.J. Shenton.

Draft Public Employees (Contributory Retirement Scheme) (New Entrants) (Jersey) Regulations, 198 . P.39/88.

Lodged: 29th March, 1988.

Establishment Committee.

Attendance Allowance: legislation. P.49/88.

Lodged: 19th April, 1988.

Senator J.A. Le Maistre.

Maternity Hospital premises, St. Helier: conversion. P.79/88.

Lodged: 21st June, 1988.

Public Health Committee.

Maternity Hospital premises, St. Helier – conversion: additional vote of credit. P.81/88.

Lodged: 28th June, 1988.

Finance and Economics Committee.

Community Health Services: supplementary votes of credit. P.82/88.
Lodged: 28th June, 1988.
Finance and Economics Committee.

Public Works – administration and public buildings: supplementary votes of credit. P.84/88.
Lodged: 28th June, 1988.
Finance and Economics Committee.

Rezoning land for States Loan development. P.112/88.
Lodged: 13th September, 1988.
Housing Committee.

Committee of Inquiry: development of south coast. P.133/88.
Lodged: 25th October, 1988.
Deputy C.M. Horne of St. Helier.

Fields 14, 14A and 18, La Rue de Maupertuis, St. Clement: compulsory purchase. P.152/88.
Lodged: 22nd November, 1988.
Housing Committee.

Public Employees: control of manpower. P.154/88.
Lodged: 29th November, 1988.
Establishment Committee.

Howard Davis Park tea gardens: supplementary vote of credit. P.172/88.
Lodged: 13th December, 1988.
Public Works Committee.

Draft Motor Traffic (Third-Party Insurance) (Amendment No. 7) (Jersey) Law, 198 . P.176/88.
Lodged: 20th December, 1988.
Defence Committee.

Awaiting Reports

Petition of Mr. B.R. Cooper asking that the States reconsider a report of the Prison Board in the light of a Court of Appeal Judgement.

Presented and referred to the Prison Board: 24th March, 1987.

Dental benefit and services: introduction. P.115/87.

Lodged: 16th June, 1987 and referred to Social Security Committee.

Deputy C. Stein of Grouville.

States' Meeting: printed record. P.95/88.

Lodged: 2nd August, 1988 and referred to the House Committee.

Deputy C. Stein of Grouville.

Matters lodged "au Greffe" withdrawn.

THE STATES noted that the Proposers had withdrawn the following subjects which had been lodged "au Greffe" –

Strategic Oil Reserve. P.15/88.

Lodged: 16th February, 1988.

Resources Recovery Board.

Salaries for Deputies. P.16/88.

Lodged: 23rd February, 1988.

Deputy M.C. Buesnel of St. Helier.

Draft Correspondence Colleges and Institutes (Licensing) (Jersey) Law, 198 . P.89/88.

Lodged: 26th July, 1988.

Education Committee.

Industrial Disputes Tribunal: appointment of Chairman, Deputy Chairman and Panels. P.148/88.

THE STATES acceded to the request of the President of the Legislation Committee that consideration of the Proposition regarding the appointment of a Chairman, Deputy Chairman and Panels of the Industrial Disputes Tribunal (lodged on 15th November, 1988) be deferred from the present Sitting to a later date.

First report: fortnightly sittings of the States. P.155/88. Withdrawn.

THE STATES noted that the Vice-President of the House Committee had withdrawn the Proposition, together with a First Report, on fortnightly Sittings of the States (P.155/88 – lodged on 29th November, 1988) having lodged a revised Proposition at the present Sitting (P.3/89). The States also acceded to the request of the Vice-President that the revised Proposition (P.3/89) be considered on 21st February, 1989.

Satellite aerial dishes. Question and answer.

Deputy Maurice Clement Buesnel of St. Helier asked the Connétable of St. John, President of the Island Development Committee, the following question –

“With the introduction of satellite television within the next three weeks, will the President inform the House whether his Committee proposes to exempt satellite aerial discs from formal planning controls?”

The President of the Island Development Committee replied as follows –

“The ability to obtain television pictures by satellite is not new to Jersey and Members of this House will be aware that a few private households, some hotels and other commercial premises have satellite dishes. Under the Island

Planning Law, these dishes constitute 'development' and applications submitted to the Department are judged on the merits in terms of the visual impact they will have on the surrounding area.

What is new is the system known as 'Astra' which will offer 16 T.V. channels and only requires a receiver 24" in diameter. It may be felt that such a small dish should not be the subject of planning control and individuals should be allowed to erect them at will. However, I would ask Members to think about the impact that such an approach would have if these dishes were attached not only to the Island's many traditional buildings but also to ordinary houses in the town and countryside without some influence and guidance from the Department and, if necessary, the Committee.

At this time, it is not my Committee's intention to bring before the House a request to amend the Island Planning (Exempted Development) (Jersey) Regulations in order to make satellite dishes both large and small, permitted development.

My Committee recognises that in many instances the small dishes will not be seen and will therefore have little or no visual impact. The matter is the subject of a report to be considered by my Committee on 26th January, 1989. Thereafter it is intended to adopt a policy for satellite dishes in general and a procedure for a simplified form of application for the smaller dishes. The aim will be to quickly grant consent for those dishes which will clearly have no impact on the area and to judge on their merits those which it is felt will have an impact.

The situation will be kept under review in order to ascertain if, in due course, an amendment to the Regulations is required. I feel at this stage a degree of caution should be exercised particularly as a second satellite service is to be brought into operation later in 1989, reception of which will require its own specialised 24" diameter antenna.

I trust this fully answers the Deputy's question. I intend to make a statement to the House as soon as possible after the Committee has agreed its policy and procedure."

Land for States Loan housing. Statement.

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

"On 13th September, 1988, my Committee lodged a Report and Proposition asking the States to call upon the Island Development Committee to make more land available for States Loan housing.

Shortly after that time, the President of the Island Development Committee asked me to defer asking for a date on which to debate the Proposition, given that his Committee had very much accepted my Committee's arguments and were to set up machinery to identify new sites which readily lend themselves to development, and were to ask the States to rezone these sites prior to Christmas.

I was very concerned when, on Tuesday, 10th January, the President of the Island Development Committee advised me that his Committee could not bring the rezoning proposition before March or, once I had protested, the end of February at the earliest.

If the housing shortage on this Island is to be overcome, or even reasonably ameliorated, the Housing Committee requires from the Island Development Committee a speed of movement which sadly appears to be lacking."

Howard Davis Farm: bulb hot water treatment plant.

THE STATES, adopting a Proposition of the Agriculture and Fisheries Committee –

- (a) approved Drawing No. 2860/8A showing the development of a new Bulb Hot Water Treatment Plant at Howard Davis Farm, Trinity;
- (b) authorised the Greffier of the States to sign the said Drawing on behalf of the States.

Route Orange, St. Brelade: transfer of administration of land.

THE STATES, adopting a Proposition of the Housing Committee –

- (a) agreed to the transfer to the Public Works Committee of the administration of an area of land at Route Orange, St. Brelade measuring 750 square feet and shown in red on drawing number 433/1A required in connexion with the construction of a bus lay-by;
- (b) authorised the Greffier of the States to sign the said drawing on behalf of the States.

Route Orange, St. Brelade: transfer of administration of land.

THE STATES, adopting a Proposition of the Telecommunications Board –

- (a) agreed to the transfer to the Public Works Committee of the administration of an area of land at Route Orange, St. Brelade, measuring 408 square feet, shown in red on Drawing No. 433/1A, required in connexion with a road widening scheme;

- (b) authorised the Greffier of the States to sign the said drawing on behalf of the States.

Finance (Jersey) Law, 1989. P.169/88.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Finance (Jersey) Law, 1989.

Tree Advisory Council: deferred supply. P.171/88.

THE STATES, adopting a Proposition of the Finance and Economics Committee, acceded to the request for the following additional vote of credit to be voted out of the General Reserve –

Public Works Committee
2096 – Tree Advisory Council £80,000.

Loan scheme for fishermen. P.173/88.

THE STATES, adopting a Proposition of the Finance and Economics Committee, authorised that Committee, in pursuance of Article 23 of the Public Finances (Administration) (Jersey) Law, 1967, to borrow under the guarantee of the annual income of the States for the purpose of financing the loan scheme for fishermen approved by the States on 22nd November, 1988.

THE STATES rose at 11.15 a.m.

E.J.M. POTTER

Greffier of the States.