

THE STATES assembled on Tuesday,  
4th November 1997 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache

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His Excellency the Lieutenant Governor,  
General Sir Michael Wilkes, K.C.B., C.B.E,  
was present.

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All members were present with the exception of -

Senator Stephen John Rothwell - out of the  
Island  
Senator Jean Amy Le Maistre - out of the  
Island

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Prayers

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Subordinate legislation tabled

The following enactments were laid before the  
States, namely -

1. Parish Rate (Form of  
Documents) (Amendment No. 7) (Jersey)  
Order 1997. R & O 9161.
2. Ancillary Dental Workers  
(Registration) (Fees) (Jersey) Order  
1997. R & O 9162.
3. Nursing Agencies (General  
Provisions) (Amendment No. 13) (Jersey)  
Order 1997. R & O 9163.
4. Cremation (Fees) (Jersey) Order  
1997. R & O 9164.

5. Food and Drugs (Ice-cream Stalls etc.) (Amendment No. 18) (Jersey) Order 1997. R & O 9165.
6. Residential Homes (General Provisions) (Amendment No. 3) (Jersey) Order 1997. R & O 9166.
7. Nursing Homes and Mental Nursing Homes (General Provisions) (Amendment No. 3) (Jersey) Order 1997. R & O 9167.
8. Civil Service Administration (Salaries) (Amendment No. 17) (Jersey) Order 1997. R & O 9168.

Matter presented

The following matter was presented to the States -

Anne Port Rock Face, St. Martin:  
remedial work (P.153/97) - comments -  
P.170/97.

Presented by the Finance and  
Economics Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee, dated 27th October 1997, recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

- (a) as recommended by the Public Services Committee, the purchase from the Vignette Trust Company Limited of 1,330 square feet of land at the junction of La Rue Don and La Route des Genets, St. Brelade, required for road widening purposes, for a consideration of £1,330, and the payment of £11.49 to each tenant for the purchase of certain interests of contract lessees, with the Committee being responsible for all reasonable legal fees involved in the transaction;
- (b) as recommended by the Public Services Committee, the renewal of the lease from Miss Suzanne Mary Chinnery

of the three-bedroom property No. 1 Clos de Douet, St. John, for a period of one year with an option to extend for a further year, at an annual rent of £12,220 for the first year and £12,740 for the second year, with the terms of the lease to be the same as the existing lease, and on the basis that each party would be responsible for its own legal costs arising from the transaction;

(c) as recommended by the Public Services Committee, the lease to the Jersey New Waterworks Company Limited of the pump chamber and associated works at La Route des Quennevais/Pont du Val, St. Brelade, together with rights of access to repair, replace and maintain the same, for a period of nine years from completion of the contracts for a sum of £100 for the whole term, with the company being granted any associated wayleaves free of charge (in accordance with drawing Q/PS/01), on the basis that the company would be responsible for all legal costs arising from the transaction;

(d) as recommended by the Health and Social Services Committee, the renewal of the lease to Mr. Michael Charles Hamon of the three-bedroom property Le Chatelet Annexe, 24 Victoria Street, St. Helier, for a period of nine years from 29th September 1997, at an annual rent of £10,000, subject to triennial reviews in line with the open market value of the property at the time, with the tenant to be solely responsible for the repair, maintenance and insurance of the premises, and on the basis that each party would be responsible for its own legal costs arising from the transaction;

(e) as recommended by the Health and Social Services Committee, the assignment from Miss Linda Joy Goldsmith to Miss Teresa Frances Darracott of the lease of the two-bedroom ground floor flat, Flat 2, Claremont, Bagatelle Road, St. Saviour, until 23rd June 2004, on the same terms and conditions as the existing lease;

- (f) as recommended by the Health and Social Services Committee, the assignment from Mr. Martin Buckfield to Mr. Michael Paul Norman and Miss Linda Jane Andrews of the lease of Flat 1, Le Boulevard, Grouville, from 25th December 1996 until 24th March 1999, on the same terms and conditions as the existing lease;
- (g) as recommended by the Health and Social Services Committee, the assignment from Mrs. Mary Deirdre Bates, née Cassidy, to Mr. Anthony John Jesson of the lease of the property Flat 1, Claremont, Bagatelle Road, St. Saviour, from 23rd May 1997 until 24th December 1997, on the same terms and conditions as the existing lease;
- (h) as recommended by the Health and Social Services Committee, the assignment from Mr. Nigel Leaman and Mrs. Diane Leaman, née Palmer, to Mr. Anthony William Paine and Mrs. Vida Anne Paine, née Combes, of the lease of the property No. 2 The Denes, Princess Place, St. Clement, until 30th November 2002, on the same terms and conditions as the existing lease;
- (i) as recommended by the Health and Social Services Committee, the renewal of the lease to Mr. Frederick Michael Pearson of the property, The Dower House, Sous l'Eglise, Rue du Presbytere, St. Peter, from 29th September 1997 until 24th December 2001, at an annual rent of £6,756 with annual increases in line with the Jersey Cost of Living Index;
- (j) as recommended by the Health and Social Services Committee, the renewal of the lease to Mr. Roger Yves Le Gac and Mrs. Olive Aimee Le Gac, née Picot, of the property, Flat 2, Sous l'Eglise, Rue du Presbytere, St. Peter, from 29th September 1997 until 24th December 2001, at an annual rent of £6,008 with annual increases in line with the Jersey Cost of Living Index;
- (k) as recommended by the Public Services Committee, the renewal of the lease to Jersey Mushroom Limited of 1,000 square feet of tunnels and

606 square feet of land at Route de l'Aleval, St. Peter, together with associated rights of access as shown on drawing Nos. 15/402/1 and 15/402/2 for a period of 21 years from 25th December 1995, at an annual rent of £1,000, subject to triennial reviews and with each party being responsible for its own legal costs arising from the transaction;

- (1) as recommended by the Public Services Committee, the entering into of a Deed of Arrangement with Mr. Christopher Philip Ollerenshaw and Mrs. Jacqueline Annette Ollerenshaw, née Noel, to agree that the northern boundary between the property Inglenook, Tower Road, St. Helier and land owned by the public of the Island adjoining La Route ès Nouaux, St. Helier, should be the granite wall between the respective ownerships, this wall to belong without effect to Mr. and Mrs. Ollerenshaw, with Mr. and Mrs. Ollerenshaw to be responsible for all the legal costs arising from this transaction.

#### Matters lodged

The following matters were lodged ``au Greffe" -

1. Draft Explosives (Amendment No. 2) (Jersey) Law 1997 (Appointed Day) Act 199 - P.162/97.  
Presented by the Defence Committee.
2. Draft Financial Services Commission (Jersey) Law 199 - P.163/97.  
Presented by the Finance and Economics Committee.
3. Draft Family Allowances (Jersey) Regulations 199 - P.164/97.  
Presented by the Employment and Social Security Committee.
4. Jersey Consumer Council: legal charges and practices - P.165/97.  
Presented by Senator R.J. Shenton.

5. Indoor tennis centre, Les Ormes,  
St. Brelade: loan - P.166/97.  
Presented by the Sport, Leisure  
and Recreation Committee.
6. Channel Islands Welding Limited,  
La Collette, St. Helier: southern  
site - P.167/97.  
Presented by the Planning and  
Environment Committee.
7. St. Aubin's Institute and  
Clarendon House - development: loan to  
the Parish of St. Brelade - P.168/97.  
Presented by the Finance and  
Economics Committee.
8. Draft States of Jersey  
(Definition of Officer) Regulations  
199 - P.169/97.  
Presented by the Policy and  
Resources Committee.

Arrangement of public business for the present  
meeting

THE STATES noted that Deputy Frederick John Hill  
of St. Martin had withdrawn his proposition  
regarding Jeffrey's Leap, Anne Port, St. Martin:  
remedial work (P.23/97 - lodged ``au Greffe" on  
18th February 1997).

Arrangement of public business for the next  
meeting on 18th November 1997

THE STATES confirmed that the following matters  
lodged ``au Greffe" would be considered at the  
next meeting on 18th November 1997 -

Anne Port Rock Face, St. Martin: remedial  
work - P.153/97.  
Lodged: 14th October 1997.  
Deputy F.J. Hill of St. Martin.

Anne Port Rock Face, St.  
Martin: remedial work (P.153/97):  
comments - P.170/97.  
Finance and Economics Committee.

Draft Explosives (Amendment No. 2)  
(Jersey) Law 1997 (Appointed Day) Act  
199 - P.162/97.

Lodged: 4th November 1997.  
Defence Committee.

Draft Family Allowances  
(Jersey) Regulations 199 - P.164/97.  
Lodged: 4th November 1997.  
Employment and Social  
Security Committee.

Indoor tennis centre, Les Ormes, St.  
Brelade: loan - P.166/97.  
Lodged: 4th November 1997.  
Sport, Leisure and Recreation  
Committee.

Channel Islands Welding Limited, La  
Collette, St. Helier: southern site -  
P.167/97.  
Lodged: 4th November 1997.  
Planning and Environment Committee.

St. Aubin's Institute and Clarendon  
House - development: loan to the Parish of  
St. Brelade - P.168/97.  
Lodged: 4th November 1997.  
Finance and Economics Committee.

Draft States of Jersey (Definition of  
Officer) Regulations 199 - P.169/97.  
Lodged: 4th November 1997.  
Policy and Resources Committee.

Potatoes dumped at Crabbé, St. Mary - questions  
and answers (Tape No. 412)

Deputy Philip John Rondel of St. John asked  
Deputy Jeremy Laurence Dorey of St. Helier,  
President of the Agriculture and Fisheries  
Committee the following questions -

1. Would the President inform members  
of the volume of -
  - (a) potatoes dumped at Crabbé, so far  
in 1997?
  - (b) the leachate that has been removed  
from Crabbé since the installation  
of a membrane and holding tank?
2. Would the President agree that the  
smell permeating from the site is  
unacceptable to residents of the area,  
and passers-by, and advise members what

further remedial action could be taken to stop these smells?"

The President of the Agriculture and Fisheries Committee replied as follows -

- 1.(a) No material has been dumped at Crabbé. It has been delivered there for the purpose of composting and this operation has been under the direct control of the Henry Doubleday Research Association;

Since 1st January 1997 and until 30th October 1997, 7,056 tonnes of waste potatoes have been taken to Crabbé. This tonnage includes soil and stones from packing stations;

In addition 3,948 tonnes of horticultural waste have been accepted. Since 19th May, 6,538 tonnes of domestic green waste have also been received. This domestic green waste is vital as a source of carbon to ensure a successful composting process.

- (b) The Crabbé site is split into three areas from each of which liquid is collected. After the remedial work was completed the first tankering was on 28th February 1997. Since that time there has been no groundwater pollution from these areas because all of the liquid (2,732,815 litres), has been removed for treatment.

This is less than the total of the rainfall plus the leachate, as the composting process itself re-absorbs both rainfall and leachate.

2. I am pleased that the Deputy of St. John has raised this question as it gives me an opportunity to inform members that we have now treated and removed 12,000 tonnes of the old material previously dumped on the site. The treatment and removal of this material was a difficult process and at times undoubtedly a



smell was produced. Now the Committee is dealing solely with material on a fresh basis.

It will never be possible entirely to eliminate all smell from the site. The Committee has, however, taken two steps to reduce any smell to a minimum -

- (1) The introduction of two atomiser machines which are essentially large fans that disperse droplets of a masking fluid. These deal with localised problems but not necessarily background smells.
- (2) On the recommendation of ADAS on 11th October the installation of an Odour Control Systems Auto Micro Mister system commenced which has the effect of misting the site perimeter with an odour neutralising agent. The frequency of spraying and the concentration of the fluid can be varied to deal with levels of nuisance. The fluid is approved by ADAS for this specific purpose and is itself odourless.

I do not believe that anything else can be done other than to continue with the efficient management of the site and reduce operations to a minimum when the wind direction requires this.

I must remind members that this is a large operation with an annual input in excess of 25,000 tonnes and already producing a high grade soil ameliorator. It is anticipated that in a full year some 10-12,000 tonnes of compost will be produced for which there is already a demand and the potential to offset some of the cost."

Residents' parking schemes - questions and answers (Tape No. 412)

Deputy Alan Simon Crowcroft of St. Helier asked Senator Vernon Amy Tomes, President of the Public Services Committee the following questions -

- ``1. Would the President inform members whether his Committee has, since taking office, given detailed consideration to the parking problems of residents of urban parishes, especially St. Helier?
2. Does the President accept that there is an urgent need for residents' parking schemes in the parishes of St. Helier, St. Saviour and St. Clement?
3. Would the President support the setting up of a working group to progress the development of an experimental scheme that could be trialled in selected residential streets in St. Helier in the New Year?"

The President of the Public Services Committee replied as follows -

- ``1. The Committee supports the principle of a residents' parking scheme for the town area and has included it in its draft Transport Policy which is to be finalised shortly.

The previous Committee under the Presidency of Deputy Carter gave detailed consideration to the introduction of a residents' parking scheme in the northern area of town. Proposals were drawn up and draft legislation is currently being prepared by the Law Draftsman which will be available for my Committee's consideration in a matter of weeks.

The current proposals would cover the northern part of town in the area from Rouge Bouillon south to Devonshire Place and Gas Place. Its effects would be assessed and the scheme then modified and extended as appropriate.

2. I am aware that parking is difficult for residents of the town area and my Committee will seek to implement the scheme as soon as possible. The majority of the built up area with limited parking is in St. Helier and work on the proposed residents' parking scheme has been confined to that parish. Should the need for a residents' parking scheme be identified in St. Saviour and St. Clement this could be considered following the results of the scheme in St. Helier.
  
3. Officers of the Public Services Department are currently working with the Law Draftsman with regard to an early introduction of a scheme in the northern part of the town (as mentioned above) following discussions with the Parish of St. Helier and Deputies of the area. It will be in effect `experimental'. I do not believe that a working group other than those already involved is necessary."

Quangos - question and answer (Tape No. 412)

Senator Frank Harrison Walker, President of the Finance and Economics Committee replied to questions asked of Senator Stuart Syvret in the States on 7th October 1997 about ``quangos".

- ``1. Will the President inform the Assembly how many `QUANGOS' exist that receive any form of public funding or administer public funds?
  
2. Will the President provide the Assembly with a full list of all such bodies and the names of those individuals who form their membership?"

The President of the Finance and Economics Committee replied as follows -

- ``1. In order to provide a response on this subject and in line with my answer of 7th October 1997 on the subject of `QUANGOS' I have written to all Committee Presidents to seek the information requested. The responses I have received indicate that there are

20 bodies which receive public funding or administer public funds or are appointed by Government but do not incur any expenditure.

2. Members will find a list indicating the 20 bodies along with details of their membership on their desks. This list should be read in conjunction with the 'Constitution of the States of Jersey - Other Committees of the States and Delegations, Tribunals etc.' a copy of which is held by all States' members and is in any event a public document."

#### Organisational changes in the States of Jersey Police - statement

Deputy Michael Adam Wavell of St. Saviour, President of the Defence Committee made a statement in the following terms -

``My Committee has recently approved the findings of an Organisational Review of the States of Jersey Police which is in accordance with the recommendations of the Report of the Independent Review Body on Police Service in the Island which, in simple terms, calls for fewer chiefs and more indians, something which I know will receive the support of this Assembly and the public.

The principal changes are -

a commitment to no fewer than six constables in uniform patrolling beats in the main town area on a 24 hour a day basis. These officers will be supported and supervised by patrolling Sergeants and led by a Duty Officer of the rank of Inspector. In addition, a Task Unit of 10 constables will be deployed to support beat officers and to deal specifically with public disorder, on-street drug activity, licensed premises and special events;

furthermore, that Duty Officer will be able to direct resources in response to any incident, particularly at peak times, thus providing reassurance to the public, who will be aware of a police presence at times and places

when it is most needed;

with regard to community policing, and in addition to the measures I have just outlined, two officers, specifically dedicated to community activities in St. Helier, will join other community police officers who carry out this increasingly effective method of policing elsewhere in the Island;

those other officers, either singly or in small units, will have responsibility for groups of parishes, thus providing an important link in the enhanced partnership between the municipal authorities, the Honorary Police and the areas' residents;

in addition, a Crime Bureau will be created, the function of which will be to link together intelligence, resources and the management of forensic and scientific support to ensure that reported crime is investigated to a high standard;

a new Administrative Support Unit will be established with the principal objectives of streamlining paperwork, servicing the prosecution process and lessening the administrative burden on patrolling beat officers. Particular emphasis will be placed on supporting the victims who have suffered as a result of criminal behaviour, particularly those who are required to give evidence;

a 24 hour HELP LINE for enquiry about crime;

a new Custody Unit specially trained in the detention, treatment and care of people taken into custody;

the creation of a Complaints and Discipline Department headed by a Chief Inspector.

Finally it gives me pleasure to be able to announce that the Working Party on Policing in the Island, established by the Defence Committee under the authority of the States, will tomorrow be in a position to forward to the Comité des Connétables a

discussion paper on its findings.

Arrangements have already been made for this to be discussed with the Comité on 19th November 1997."

Strategic Policy Review and Action Plan 1997 - P.149/97, P.150 (Revised), P.154/97, P.155/97, P.160/97, P.161/97 and sixth amendments.

THE STATES commenced consideration of paragraph (1) of a proposition of the Policy and Resources Committee -

(1) To receive the Strategic Policy Review and Action Plan 1997 Part I; and -

(a) to approve the recommendations on population and immigration policy as set out in clauses (i) - (xx) of sub-paragraph 1.1. of that Part.

THE STATES accepted an amendment of Deputy Alan Breckon of St. Saviour that after the word "Part" there should be inserted the words "except that in clause (i) the words '(that is around 85,000)' shall be deleted".

THE STATES accepted an amendment of Senator Richard Joseph Shenton that after the word "Part" there should be inserted the words "except that in clause (iv) after the word 'manpower' there shall be inserted the words 'whilst ensuring social justice in the Island, and that a statutory minimum wage and a maternity benefit equal to that enjoyed by States employees be introduced as soon as possible'".

Members present voted as follows -

"Pour" (31)

Senators

Shenton, Stein, Quérée, Bailhache, Syvret, Tomes, Kinnard.

Connétables

St. Lawrence, St. Brelade, St. Peter, Grouville, St. Ouen.

## Deputies

Wavell(S), H. Baudains(C), S. Baudains(H),  
Le Geyt(S), Trinity, Duhamel(S),  
Routier(H), Layzell(B), Breckon(S), St.  
Martin, St. John, Le Main(H), Blampied(H),  
Rabet(H), Crowcroft(H), Vibert(B),  
St. Peter, Dubras(L), St. Ouen.

``Contre" (18)

## Senators

Horsfall, Norman, Walker.

## Connétables

St. Clement, St. Mary, St. Helier, St.  
Saviour, St. Martin, St. John, Trinity.

## Deputies

Le Sueur(H), St. Mary, Pullin(S), Johns(H),  
Dorey(H), Huet(H), de la Haye(B), Le  
Cornu(C).

THE STATES accepted an amendment of Senator Wendy Kinnard, as amended by Deputy Maurice François Dubras of St. Lawrence, that after the word ``Part" there should be inserted the words ``except that in clause (vi) after the words `public sector' there shall be inserted the words `, without the need for compulsory redundancies, except as a last resort.'."

The President of the Establishment Committee, Deputy David Leon Crespel of Trinity, gave an assurance to the Assembly that, if compulsory redundancies were to be considered, the matter would be presented to the States for a decision.

THE STATES accepted an amendment of Deputy Maurice François Dubras of St. Lawrence that after the word ``Part" there should be inserted the words ``except that in clause (vi) after the words `work force' in the second place where they appear, there shall be inserted the words `, such as ensuring fair, reasonable and comparable total remuneration and terms of employment under any new employer of the transferred workers'."

THE STATES rejected an amendment of Senator Richard Joseph Shenton that after the word

``Part" there should be inserted the words  
``for clause (ix) there shall be substituted the  
following -

`(ix) the Housing Committee to be  
requested not to increase the rate  
of granting long-term `(j)'  
category housing consents, until  
the States have had the  
opportunity to assess the likely  
impact of any change in employment  
policies;".

Members present voted as follows -

``Pour" (19)

Senators

Shenton, Bailhache, Syvret, Kinnard.

Connétables

St. Mary, St. Brelade, St. Peter,  
Grouville, St. Martin.

Deputies

Wavell(S), St. Mary, S. Baudains(H), Le  
Geyt(S), Duhamel(S), Breckon(S), St.  
Martin, St. John, Rabet(H), Le Cornu(C).

``Contre" (31)

Senators

Horsfall, Stein, Quérée, Tomes, Norman,  
Walker.

Connétables

St. Clement, St. Lawrence, St. Helier, St.  
Saviour, St. Ouen, St. John, Trinity.

Deputies

H. Baudains(C), Le Sueur(H), Coutanche(L),  
Trinity, Pullin(S), Johns(H), Routier(H),  
Dorey(H), Layzell(B), Grouville, Huet(H),  
Le Main(H), Crowcroft(H), Vibert(B), de la  
Haye(B), S. Pierre, Dubras(L), S. Ouen.

THE STATES accepted an amendment of Senator  
Richard Joseph Shenton that after the word  
``Part" there should be inserted the words ``,  
except that at the end of clause (xi) there  
shall be inserted the words `whilst at all times  
recognising the need to sustain full employment



for all residentially qualified employees and, at the same time, to ensure that finance industry organisations encourage locally trained personnel to take up senior positions thereby reducing the need for '(j)' category consents'."

THE STATES accepted an amendment of Deputy Jeremy Laurence Dorey of St. Helier that after the word "Part" there should be inserted the words ", except that at the end of clause (xiv) there shall be inserted the words ", while recognising that in a small isolated community some form of protection will be required";".

THE STATES accepted an amendment of Deputy Alan Breckon of St. Saviour that after the word "Part" there should be inserted the words "with the addition at the end of clause (xvii) the words "and to require manpower returns to be submitted on a quarterly basis";".

THE STATES rejected an amendment of Deputy Alan Breckon of St. Saviour that after the word "Part" there should be inserted the words "except that for clause (xviii) there shall be substituted the following -

- “(xviii)(a) to establish a Residential Registration Scheme;
- (b) to appoint a Special Committee consisting of up to seven members, including two members of the Policy and Resources Committee, to investigate and make recommendations to the States for controlling population growth;
- (c) to charge the Policy and Resources Committee, in co-operation with the Finance and Economics Committee, to provide the Special Committee with sufficient financial and manpower resources to enable that Committee to report and make recommendations to the States which reflect the long-term population policy objectives set out on pages 19 to 27 of the Strategic Policy Review 1995 - Part I ('2000 and Beyond') and accepted by the States, with one amendment, on 12th September 1995'."

Members present voted as follows -

``Pour" (17)

Senators

Shenton, Syvret, Kinnard.

Connétables

Grouville, St. Helier, St. Martin, St.  
Ouen.

Deputies

S. Baudains(H), Johns(H), Duhamel(S),  
Breckon(S), Huet(H), St. Martin, St. John,  
Le Main(H), Rabet(H), Crowcroft(H).

``Contre" (33)

Senators

Horsfall, Stein, Quérée, Bailhache, Tomes,  
Norman, Walker.

Connétables

St. Clement, St. Lawrence, St. Mary, St.  
Brelade, St. Peter, St. Saviour, St. John,  
Trinity.

Deputies

Wavell(S), H. Baudains(C), Le Sueur(H),  
Coutanche(L), St. Mary, Le Geyt(S),  
Trinity, Pullin(S), Routier(H), Dorey(H),  
Layzell(B), Grouville, Vibert(B), de la  
Haye(B), Le Cornu(C), S. Pierre, Dubras(L),  
S. Ouen.

THE STATES then adjourned until the next day,  
Wednesday, 5th November 1997 at 9.30 a.m.

THE STATES rose at 5.40 p.m.

G.H.C. COPPOCK

Greffier of the States.