

STATES MINUTES 16th January, 1990

Price : 75p

THE STATES assembled on Tuesday,
16th January, 1990 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 -

Senator John William Ellis - out of
the Island.
Leonard René Hamel, Connétable of St.
Clement - ill.
Francis Hedley Morel, Deputy of St.
Saviour - out of the Island.
Maurice Clement Buesnel, Deputy of St.
Helier - ill.

Prayers

Sir Martin Le Quesne, K.C.M.G.,
Deputy of St. Saviour - resignation

The Bailiff informed the House
that he had received the following letter
from Sir Martin Le Quesne, K.C.M.G. -

``8th January, 1990

Mr. President,

I write to inform you officially of my wish to resign from my office of Deputy of St. Saviour's No. 2 District.

I believe that when a Member reaches such a decision it is but a matter of courtesy that you and his colleagues should be the first to be informed and it had been my intention that this letter should be the first intimation to you and my fellow Members. The act of the Evening Post in taking it upon itself to make public my decision - and that without any information on the matter or authority from me - has denied me the possibility of treating the House with the courtesy and respect that I would have wished. I would be grateful if you would express my regrets to the House.

I am, on the other hand, happy to be able to say that the Evening Post was quite wrong in attributing my decision to reason of health. I have no grounds for fearing that I should not be able to complete my full term of office. It is rather a matter of timing.

You are, I am sure, aware that it has for long been my view that no one should continue in public political life after the age of 70. You also know that, consistently with that view, it was not my intention to stand for re-election in 1987. For good or ill I allowed myself to be persuaded at that time to stand again. But two years later I am now well past the end of my political shelf life and the passage from one session of the States to another constitutes a natural break.

I recognise that the logic of this arrangement might perhaps have led me to time my resignation from the last sitting of the former session. I did not do so for a personal reason. I first entered into public service when I joined the army in the early months of 1940. Since then I have, with two short breaks, spent the whole of my life in public service of one kind or another. I hope that it will not be

considered an act of unreasonable pride to have postponed my final retirement until after the completion of my fiftieth year in it.

May I conclude by expressing my gratitude to you and to your predecessor for the treatment you have both accorded me in the House. I have of course been aware that at times I have stretched our rules of procedure close to their limits and I am grateful for the indulgence which you and Sir Frank before you showed towards me while I was doing so.

Yours sincerely,

(signed) Martin Le Quesne."

The Bailiff paid the following tribute to Sir Martin -

``With the resignation of Sir Martin Le Quesne, whose letter I have now read to the Assembly, we lose one of the most distinguished members of recent years. He is the embodiment of that type of Jerseyman who, having concluded a successful career outside the Island, returned to serve it in retirement. I hope that the fount of such originaires able to do this will not, as a result of severe immigration policies, dry up. If it does, then the intellectual life of the Island will be the poorer, and the standard of debate in the States will be that much diminished.

Sir Martin brought to this Assembly a knowledge of affairs that on occasions led him to regard our more insular antics with a wry, and sometimes it must be said, an acerbic sense of humour, tempered always by a strong sense of fairness.

His efforts in setting up the Policy and Resources Committee, and his attempts in the House Committee to impose some sort of sensible order on the conduct of our business, will remain as an important reminder of his contribution to the work of the States.

To all the Committees on which he sat, and especially in this Chamber, he brought an analytical and logical mind that could disconcert the muddled and prod the lazy.

If he tended to lecture us, that was because often he had a lot to say that was worth listening to. He will be missed, and in the name of the States and the people of the Island, I thank him for his work in this Chamber, and I wish him, and Lady Le Quesne, a happy retirement and good health to enjoy it."

House Committee: vacancy in presidency

In accordance with Article 29(3) of the States of Jersey Law 1966, the Bailiff gave notice that there was a vacancy in the office of President of the House Committee.

Subordinate legislation tabled

The following enactments were laid before the States, namely -

1. Amendment (No. 11) to the Tariff of Harbour and Light Dues. R & O 8008.
2. Motor Cars (Driving Instruction) (Amendment No. 2) (Jersey) Order 1989. R & O 8009.
3. Road Vehicles Lighting (Amendment No. 15) (Jersey) Order 1989. R & O 8010.
4. Post Office (Foreign Post Provisions) (Amendment No. 17) (Jersey) Order 1989. R & O 8011.
5. Post Office (General Provisions) (Amendment No. 29) (Jersey) Order 1989. R & O 8012.
6. Road Traffic (Saint Saviour) (Amendment No. 6) (Jersey) Order 1989. R & O 8013.

7. Road Traffic (Saint John)
(Amendment) (Jersey) Order
1990. R & O 8015.

Matters noted - land transactions

THE STATES noted Acts of the Finance and Economics Committee dated 11th December, 1989 and 8th January, 1990, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Island Development Committee, the granting of a wayleave to the Jersey Gas Company Limited to provide 24-hour access to the company's primary gas main at La Collette, for a period of 99 years, with effect from 1st May, 1978, for a consideration of #10, with the company being responsible for the payment of all legal fees;
- (b) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Mrs. Yvonne Alise Canuet Stanley, née Price, of No. 101 Don Road, St. Helier, for a consideration of #170,000 for the realty, with each side being responsible for the payment of its own legal fees;
- (c) as recommended by the Housing Committee, with the support of the Island Development Committee, and in accordance with an Act of the States dated 21st November, 1989, the purchase of the reversionary interest from Mrs. Grace Amelia Beardsley, née Sullivan and the life enjoyment from Lady Anne Le Cornu Cabot, née Blampied, of Fields Nos. 769 and 770 together with the property known as ``Le Bernage'', Longuevillage, required for the construction of Category A housing, for a consideration of #429,216, with each side being responsible for the payment of

their own legal fees;

(d) as recommended by the Housing Committee, in connexion with the boundary of 70, St. Saviour's Road, St. Helier, following the completion of De Quetteville Court Phase III -

(i) the passing of a Contrat de Bornement with Ann Street Brewery Company Limited to enable the Committee to alter the height of the jointly owned boundary wall;

(ii) the sale to Graham Hotel Limited, the proprietors of the adjoining Graham Hotel, of a small strip of land, measuring approximately 60 square feet, for a nominal sum of #10, with the Committee being responsible for the payment of all legal fees;

(e) as recommended by the Housing Committee, the lease to The Jersey Electricity Company Limited of a sub-station at Grassett Park, St. Saviour, for a period of 99 years commencing 25th December, 1989, at an annual rent of #1, with all payments commuted forward to the commencement of the lease;

(f) as recommended by the Public Health Committee, the leasing to Mr. Dennis James Roche and Mrs. Jean Patricia Roche, née Geary, of the Florist Shop at the General Hospital, for the period 1st January, 1989 until 31st December, 1991, at a commencing rent of #4,560 a year with annual adjustments based on the Jersey Cost of Living Increases, or 10 per cent of the gross takings of the shop, whichever was the greater;

(g) as recommended by the Public

Health Committee, the leasing to Mr. Robin Gray and Mrs. Carole Anne Gray, née Shipley, of Micro Enterprises (Jersey) Limited, trading as Leaders Health Foods, of the proposed Health Food Bar at the General Hospital, for a period of one year commencing 1st March, 1990, at an annual rent of #4,250;

- (h) as recommended by the Public Health Committee, the extension of the lease from Mr. George Bernandes of the property 'Alzola', Upper Kingscliffe, St. Helier, from 1st January, 1990 until 28th February, 1991, at a weekly rent of #175, required for occupation by an essential employee;
- (i) as recommended by the Public Works Committee, the purchase from Mr. John Edward Le Gresley of 177 square feet of land at La Rocque Harbour, Grouville, required in connexion with the provision of a footpath, for a consideration of #354, with the Committee being responsible for the accommodation works and the payment of all legal fees;
- (j) as recommended by the Public Works Committee, the purchase from the National Trust for Jersey of 4,800 square feet of land at the Five Mile Road, St. Ouen, required in connexion with construction of a footpath, for a consideration of #248, with the Committee being responsible for the payment of all legal fees;
- (k) as recommended by the Public Works Committee, the sale to Mr. Norman Philip Pallot and Mrs. Denise Pallot, née Dauvert, of approximately 1,250 square feet of land forming a section of rough track along the frontage of Vue du Phare, Corbière, St. Brelade, for a consideration of #1,250, with Mr. and Mrs. Pallot being responsible for the payment of all legal fees;

(l) as recommended by the Public Works Committee, the purchase from Mr. Patrick Joseph McCarthy and Mrs. Jayne Carolyn McCarthy, née Armitage of 765 square feet of land forming part of the property known as "La Maisonette" and "La Croix", La Rue des Prés Commune, Grouville, required in connexion with the construction of a footpath, for a consideration of #1,530, with the Committee being responsible for accommodation works and the payment of all legal fees and Mr. and Mrs. McCarthy being responsible for a granite boundary wall.

(The Committee rescinded its Act No. 3(d) of 30th October, 1989, which was notified to the States on 14th November, 1989.);

(m) as recommended by the Harbours and Airport Committee, the lease to Emeraude Lines of 778 square feet of accommodation in the Elizabeth Harbour Terminal Building, for a period of nine years, commencing 1st November, 1989, at an annual rent of #7,780, with annual rent reviews in line with the Jersey Cost of Living Index;

(n) as recommended by the Harbours and Airport Committee, the lease to Jersey European Airways of a ticket desk, offices and kitchen, measuring 815 square feet in the Airport terminal building, for a period of three years, commencing 1st January, 1990, at an annual rent of #7,348, with annual rent reviews in line with the Jersey Cost of Living Index;

(o) as recommended by the Harbours and Airport Committee, the lease to G.P. Express (C.I.) Limited of warehouse accommodation in the Airport freight terminal building (designated Letting B137), measuring 720 square feet, for a period of three years, at an annual rent of #2,160, with effect

from 1st November, 1989, with annual rent reviews in line with the Jersey Cost of Living Index;

(p) as recommended by the Defence Committee, the lease to Mr. John Gordon Hervé of 16 vergées of agricultural land at Crabbé Farm, St. Mary, for a period of nine years, with effect from 31st March, 1989, at an annual rent of #2,500;

(q) as recommended by the Defence Committee, the lease to the Jersey Amateur Radio Society of the old German signal station at La Moye, St. Brelade, for a period of nine years, with effect from 25th December, 1989, at an annual nominal rent of #10;

(r) as recommended by the Island Development Committee, and in accordance with an Act of the States dated 25th July, 1989, the purchase from E. Russell (Jersey) Limited of Nos. 9-11 Cannon Street, St. Helier, for the sum of #525,000, with the Committee being responsible for the payment of all legal fees.

Matters lodged

The following subjects were lodged
"au Greffe" -

1. Draft Regulation of Undertakings and Development (Amendment No. 4) (Jersey) Regulations 199 . P.3/90. Presented by the Finance and Economics Committee.
2. Draft Milk (Sale to Special Classes) (Amendment) (Jersey) Regulations 199 . P.4/90. Presented by the Social Security Committee.
3. Le Squez School: housing accommodation. P.5/90. Presented by the Education Committee.
4. St. Ouen's Bay sand extraction.

P.6/90.
Presented by the Island
Development Committee.

5. Second Report: States Sittings and
planning of public business.
P.7/90.
Presented by the House Committee.

6. Government House: rescission of
States Acts and designation as
site of special interest. P.8/90.
Presented by the Island
Development Committee.

THE STATES decided to take the
abovementioned items into consideration on
30th January, 1990.

The following subject was lodged on 2nd
January, 1990 -

Draft Policing of Parks (Amendment
No. 6) (Jersey) Regulations 199 .
P.1/90.
Presented by the Public Works
Committee.

The following subject was lodged on 9th
January, 1990 -

Rezoning of land for Category A
housing (P.57/89): amendment. P.2/90.
Presented by the Agriculture and
Fisheries Committee.

Arrangement of Public Business for
Spring Session

THE STATES decided to take the
undermentioned subject into consideration
on -

16th January, 1990 -

Howard Davis Park tea garden:
lease. P.160/89.
Lodged: 12th December, 1989.
Public Works Committee.

Draft Road Traffic (No. 34)
(Jersey) Regulations 199 . P.161/89.
Lodged, as amended, in Second Reading.
Defence Committee.

Draft Policing of Parks (Amendment
No. 6) (Jersey) Regulations 199 . P.1/90.
Lodged: 2nd January, 1990.
Public Works Committee.

23rd January, 1990 -

Waterfront area of St. Helier: development.
P.151/89.
Lodged: 28th November, 1989.
Island Development Committee.

6th February, 1990 -

Rents of commercial property: control.
P.143/89.
Lodged: 7th November, 1989.
Senator C. Stein.

27th March, 1990 -

Entry controls for visitors to Jersey.
P.16/89.
Lodged: 14th February, 1989.
Deputy M.C. Buesnel of St. Helier.

No dates were fixed for the
following -

West of Albert Pier reclamation site:
development: sub-paragraph (a). P.53/89.
Lodged: 2nd May, 1989, sub-paragraphs (b)
and (c) adopted on 30th May, 1989, sub-
paragraph (a) deferred.
Public Works Committee.

Rezoning of land for Category A
housing. P.57/89.
Lodged: 9th May, 1989, partially debated on
29th August and 21st November, 1989,
remainder deferred.
Island Development Committee.
(Petitions regarding rezoning of land.
P.94/89, P.106/89, P.107/89 and P.122/89
refer.)

Rezoning of land for Category A
housing (P.57/89): amendment. P.2/90.
Lodged: 9th January, 1990.
Agriculture and Fisheries
Committee.

Draft Residential Care Homes
(Registration) (Jersey) Law 199 . P.98/89.
Lodged: 27th June, 1989.

Public Health Committee.

Draft Residential Care Homes
(Registration) (Jersey) Law 199 :
amendment. P.159/89.
Lodged: 12th December, 1989.
Connétable of St. Helier.

Licensing (Jersey) Law 1974:
review. P.130/89.
Lodged: 26th September, 1989.
Tourism Committee.

Licensing (Jersey) Law 1974:
Administration. P.134/89.
Lodged: 17th October, 1989.
Senator R.J. Shenton.

Draft Family Allowances (Jersey)
Regulations 199 . P.149/89.
Lodged: 28th November, 1989.
Social Security Committee.

West of Albert Pier: temporary
building for agricultural produce.
P.158/89.
Lodged: 12th December, 1989.
Agriculture and Fisheries
Committee.

Awaiting reports -

Housing needs: Committee of Inquiry.
P.97/89.
Lodged: 20th June, 1989 and referred to
Policy and Resources Committee on 25th
July, 1989.
Senator J.S. Rothwell.

States Members: payment. P.132/89.
Lodged: 3rd October, 1989 and referred to
the House Committee.
Deputy M.C. Buesnel of St. Helier.

Draft Sea-Fisheries (Fishing Nets)
(Amendment No. 2) (Jersey) Regulations
199 . P.112/89.

THE STATES noted that the
President of the Agriculture and Fisheries
Committee had withdrawn the draft Sea-
Fisheries (Fishing Nets) (Amendment No. 2)
(Jersey) Regulations 199 (lodged on 1st
August, 1989).

Farmhouse at Crabbé Farm, St.
Mary: refurbishment

THE STATES, adopting a Proposition
of the Defence Committee -

- (a) approved Drawings Nos. 2493-12 and 2493-13 relating to the modernisation and refurbishment of the farmhouse at Crabbé Farm, La Rue de Crabbé, St. Mary;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

Howard Davis Park tea garden:
lease. P.160/89

THE STATES, adopting a Proposition
of the Public Works Committee -

- (a) agreed to lease the tea garden at the Howard Davis Park, St. Helier, to Rose Garden Catering Limited, for a period of nine years, with effect from 1st January, 1990, at an annual rent of #15,000 or 15 per cent of the gross sales, whichever is the greater, with rent reviews in the third and sixth year of the lease;
- (b) authorised the Greffier of the States to sign the necessary lease;
- (c) authorised the Treasurer of the States to receive the rent as it becomes due.

Road Traffic (No. 34) (Jersey)
Regulations 1990. P.161/89

THE STATES continued consideration of the draft Road Traffic (No. 34) (Jersey) Regulations 199 (lodged as amended in Second Reading on 12th December, 1989) and, in pursuance of the powers conferred on them by the Order in Council of the twenty-sixth day of December, 1851, and Article 49 of the Road Traffic (Jersey) Law 1956, as amended, made Regulations

entitled the Road Traffic (No. 34) (Jersey) Regulations 1990.

Policing of Parks (Amendment No. 6) (Jersey) Regulations 1990. P.1/90

THE STATES, in exercise of the powers conferred upon them by the Order in Council of the twenty-sixth day of December, 1851, Article 49 of the Road Traffic (Jersey) Law 1956, as amended, and the Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957, as amended, made Regulations entitled the Policing of Parks (Amendment No. 6) (Jersey) Regulations 1990.

THE STATES rose at
10.45 a.m.

E.J.M. POTTER

Greffier of the States.