

Price : £1.50

THE STATES assembled on Tuesday,
21st May 1996 at 9.30 a.m. under
the Presidency of the Bailiff,
Philip Martin Bailhache, Esquire

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

All members were present with the exception of -

Senator Jean Amy Le Maistre - out of the
Island
Francis Herbert Amy, Connétable of
Grouville - out of the Island
Jack Roche, Connétable of St. Saviour - ill
Carlyle John Le Herrissier Hinault,
Connétable of St. John - ill
John Nicolle Le Fondré, Deputy of St.
Lawrence - ill
Margaret Anne Le Geyt, Deputy of St.
Saviour - ill

Prayers

Tribute to the late Mr. C.G. Farley, former
Member of the House

The Bailiff paid tribute to the late Mr.
Clarence George Farley, former Deputy and
Senator.

THE STATES observed one minute's silence as a
mark of respect.

Subordinate legislation tabled

The following enactments were laid before the
States, namely -

1. Road Traffic (Trinity)
(Amendment No. 2) (Jersey) Order 1996.
R & O 8931.
2. Court of Appeal (Remuneration of
Ordinary Judges) (Jersey) Order 1996.
R & O 8932.
3. Royal Court (Remuneration of
Commissioners) (Jersey) Order 1996.
R & O 8933.
4. Road Traffic (Speed Limits)
(Jersey) Order 1996. R & O 8934.

Public Services Committee - appointment
of member

THE STATES appointed Deputy Alan Breckon of St.
Saviour as a member of the Public Services
Committee.

Employment and Social Security Committee -
appointment of member

THE STATES appointed Senator Vernon Amy Tomes as
a member of the Employment and Social Security
Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and
Economics Committee dated 13th May 1996, showing
that, in pursuance of Standing Orders relating
to certain transactions in land, the Committee
had approved -

- (a) as recommended by the Health and Social
Services Committee, the sub-lease to
Servain Limited by Mr. Maurice George
Vowden and Mrs. Eileen Maria Vowden,
née Bulman, of 52 Don Street, St.
Helier, for the remaining portion of
the Head Lease until 24th June 1998;
- (b) as recommended by the Health and Social
Services Committee, the renewal of the
lease from Mr. Christian John Langlois
and Mrs. Christine Louise Langlois, née
Holborrow, of the three-bedroom
property 2 Bel Royal Gardens, St.
Lawrence, for a period of one year from
16th February 1996 at an annual rent of
£10,640;

- (c) as recommended by the Planning and Environment Committee, the review of rent in accordance with open market values with effect from 25th December 1994 in respect of the 25-year lease from 29th September 1984 to Messrs. Andrew Le Gallais and Paul Houzé of Field No. 107, Maufant Road, St. Saviour (measuring 18.6 vergées), an annual rent of £1,250 payable in advance;
- (d) as recommended by the Planning and Environment Committee, the renewal of the lease to Mr. Vernon Stuart Pallot of land (measuring 3.30.0 vergées) at Le Pré de la Reine, Grouville, for a period of three years from 25th December 1995 at an annual rent of £135.00 (representing a rate of approximately £37 a vergée), on the existing terms and conditions;
- (e) as recommended by the Public Services Committee, the lease to Mr. Colin Graham Luce of L'Etacq Engineering Limited, of an area of land at L'Etacq car park, St. Ouen, for a period of three years from 1st January 1994 at an annual rent of £210, subject to annual rent review;
- (f) as recommended by the Public Services Committee, the entering into of a Deed of Arrangement with Mr. Peter Boris Metcalf and Mrs. Mavis Metcalf, née Rennell, to clarify the boundary at 163 Quennevais Park, St. Brelade, subject to the conditions which had previously been agreed and to the owner being responsible for all legal costs involved in the transaction;
- (g) as recommended by the Public Services Committee, the lease to Mr. Ronald John Rebourg of Field No. 15, Mont à la Brune, St. Brelade, for a period of three years, with an option to renew for a further three years, at an annual rent of £50, subject to annual review, with each party being responsible for its own legal costs involved in the transaction;
- (h) as recommended by the Public Services Committee, the acquisition from the Vignette Trust Company Limited of 517 square feet of land at the junction of La Route des Genets and La Rue Don, St. Brelade, required for road

widening, for a consideration of £517, with the Committee being responsible for all reasonable costs involved in the transaction, and also for the payment of £11.49 to each tenant for the inconvenience caused during the construction period together with the reasonable legal costs incurred by each of the tenants in varying their leases;

- (i) as recommended by the Housing Committee, the entering into of Deeds of Arrangement with Mr. Paul Derek Bolton and Mrs. Anne Bolton, née Sweeney, and Mr. Edgar John Perron, for the granting of new drainage rights to recognise the existing situation in respect of the drainage system which served the properties known as No. 112 St. Saviour's Road and No. 113 St. Saviour's Road, St. Helier, which presently ran in a westerly direction across the old Gas Works site (now known as Westley Court), for the payment of a single capital sum of £250 to each party on the basis that the Committee was to be reimbursed with all reasonable legal fees incurred in the transaction and that all other terms and conditions were to be reserved matters to be agreed between the Law Officers' Department and the owners of Nos. 112 and 113 St. Saviour's Road, St. Helier;

- (j) as recommended by the Housing Committee, the entering into of a Deed of Arrangement with Aldham Properties Limited in respect of No. 78 Stopford Road, St. Helier, subject to -
 - (i) drainage rights being granted from the property known as No. 78 Stopford Road, across the public land, with these rights being only to cover the two residential units and not to be extended to any intensification or change of use of the site; and with the public expressly reserving the right to re-locate the existing drainage system;

 - (ii) the continued encroachment towards the public's land by the current extension to the property being permitted on the basis that, among other things, no further new encroachments were to be permitted; if the extension or the

property was to be redeveloped then the encroachment was to cease and any new buildings set back accordingly; and the granting of these rights would not prejudice the full rights of the public to build upon its land which neighboured the property;

- (iii) that in consideration of the above rights, the payment to the Committee of £1,000 for the benefit of drainage rights; and £750 for the continued encroachment to the public land; and
- (iv) all legal costs and fees incurred by the transaction being borne by Aldham Properties Limited;
- (k) as recommended by the Harbours and Airport Committee, the lease to Mr. Augusto Alberto De Aguiar Matos of the Sailors Rest Café, New North Quay, Port of St. Helier, for a period of one year from 1st April 1996, at an annual rent of £9,324 payable quarterly in advance;
- (l) as recommended by the Health and Social Services Committee, the lease from Mr. Derek Horsfall and Mrs. Eileen Horsfall, née Chapman, of the property Holly Tree House, La Grande Route de St. Jean, St. Helier, for a period of two years from 1st August 1996, at an annual rent £14,820 with an option to renew for a further year at a revised annual rent and with a three month period of notice in the third year;
- (m) as recommended by the Health and Social Services Committee, the renewal of the lease from Mr. John Baxter Marett of the four-bedroom property Mont St. Michel, New St. John's Road, St. Helier, for a further period of two years from 1st April 1996, at an annual rent of £11,792 subject to an increase on 1st April 1997, with all other terms and conditions remaining as contained in the existing lease, including the clause which gave the Committee the option of exercising a three month notice period;
- (n) as recommended by the Defence Committee, the granting of a Wayleave to the Jersey Electricity Company Limited in respect of the laying of a

cable through Field No. 121, St. Mary, free of charge, subject to the Company being responsible for all associated legal and accommodation costs and subject to conditions specified in the Committee's Act, dated 25th April 1996;

- (o) as recommended by the Probation Committee, the lease from Mrs. Elsie Louisa Cadoret, née Le Brun, of the shed at Bareada, La Rue à Georges, St. Mary, for the establishment of a Community Service Workshop, for a period of three years from 20th May 1996, at an annual rent of £9,000, on the basis that the Committee was to be responsible for the repair and condition of the interior of the premises, with Mrs. Cadoret being responsible for all structural repairs and insurance, and with each party being responsible for its own legal costs associated with the transaction;

- (p) as recommended by the Public Services Committee, the purchase from F.B.F. Developments Limited of an area of land measuring approximately 745 square feet at the junction of Castle Street and Commercial Street, St. Helier for a consideration of £745 with the Committee being responsible for the payment of all reasonable legal costs involved in the transaction and for the necessary accommodation works involved;

- (q) as recommended by the Agriculture and Fisheries Committee, the annulment of the nine-year lease from 31st March 1989 to Mr. John Gordon Hervé of Fields Nos. 89, 90, 91, 108, 109, 110, 115, 328, 330 and 331, St. Mary, with effect from 25th December 1995.

Matters lodged

The following matters were lodged ``au Greffe" -

1. Draft Bankruptcy (Désastre) (Amendment No. 2) (Jersey) Law 199 - P.80/96.
Presented by the Finance and Economics Committee.

2. Jersey Heritage Trust: loan - P.81/96.
Presented by the Finance and Economics Committee.

3. Colomberie Close, St. Helier:
assignment of lease to the public -
P.82/96.
Presented by the Employment and
Social Security Committee.
4. D'Hautrée School, St. Saviour:
staff - P.83/96.
Presented by Deputy J.L. Dorey
of St. Helier and referred to the
Education Committee.
5. Draft Limited Liability
Partnerships (Jersey) Law 199 -
P.84/96.
Finance and Economics Committee.

Arrangement of public business for the next
meeting on 18th June 1996

THE STATES confirmed that the following matters
lodged "au Greffe" would be considered at the
next meeting on 18th June 1996 -

Establishment of a casino in Jersey -
P.36/96.
Lodged: 27th February 1996 and referred to
the Gambling Control Committee
Senator R.J.Shenton.

Establishment of a casino in Jersey
(P.36/96): amendment - P.66/96.
Lodged: 30th April 1996.
Deputy A. Breckon of St. Saviour.

Draft Licensing (No. 10)
(Jersey) Regulations 199 - P.79/96.
Lodged: 14th May 1996 in Second Reading.
Tourism Committee.

Draft Bankruptcy (Désastre)
(Amendment No. 2) (Jersey) Law 199 -
P.80/96.
Lodged: 21st May 1996.
Finance and Economics Committee.

Jersey Heritage Trust: loan -
P.81/96.
Lodged: 21st May 1996.
Finance and Economics Committee.

Colomberie Close, St.
Helier: assignment of lease to the
public - P.82/96.
Lodged: 21st May 1996.
Employment and Social
Security Committee.

Hill Street, St. Helier development:
financing - P.58/96 (Revised).
Lodged: 16th April 1996.
Planning and Environment Committee.

D'Hautrée School, St. Saviour:
staff - P.83/96.
Lodged: 21st May 1996 and referred to the
Education Committee
Deputy J.L. Dorey of St. Helier.

Draft Limited Liability Partnerships
(Jersey) Law 199 - P.84/96.
Lodged: 21st May 1996
Finance and Economics
Committee.

St. Aubin: land reclamation - P.73/96

THE STATES acceded to the request of the
Connétable of St. Brelade that the proposition
regarding land reclamation at St. Aubin (lodged
``au Greffe" on 30th April 1996 and referred to
the Public Services Committee) be considered on
18th June 1996.

Relocation of d'Hautrée School - questions and
answers (Tape No.339)

Senator Corrie Stein asked Deputy Evelyn Mabel
Pullin, President of the Education Committee,
the following questions -

- ``1. Does the President agree that on
22nd October 1991 the States
adopted a proposition of the
Education Committee `The Future of
Secondary Education' (P.149/91),
which included strategic plans for
the following ten years, and that
as part of that Plan the States
approved in principle `the
relocation of d'Hautrée School',
also that on 29th September 1993,
the States adopted a proposition
of the Island Development
Committee `D'Hautrée School:
rezoning and purchase of land
(P.117/93)'?
2. Would the President agree that two
previous Education Committees have
given assurances to the teachers of
d'Hautrée School that they would move
with the school to the relocated St.
Anne's School?"

The President of the Education Committee replied

as follows -

1. Yes. It is a matter of record that the States agreed to the relocation of the d'Hautrée School building to part of Fields Nos. 1243 and 1244, St Helier.
2. Yes. The previous two Education Committees decided to transfer staff to the new school building and the school staff at that time were so informed. A decision was taken by the present Education Committee to open posts to general application within the service after discussions had taken place with the Chairman of Governors who indicated his support for our proposal.

With the Vice-President and the Director I had helpful discussions with staff representatives last week which led to some sensible and practical proposals which it is hoped will reach agreement on both sides. These suggestions will be taken to the full Education Committee on Wednesday, 22nd May 1996, and provided they are accepted and are agreed by teachers and Governors, I will be in a position to make a full statement."

Clinical waste incinerator: approval of drawings - P.85/96

THE STATES commenced consideration of a proposition of the Public Services Committee requesting approval of a drawing showing the conceptual design layout of the clinical waste incinerator to be located at Bellozanne, St. Helier. After discussion, and on the proposition of Senator Stuart Syvret, the proposition was lodged ``au Greffe".

THE STATES decided to take this matter into consideration on 18th June 1996.

9 St. James Street, St. Helier: sale - P.86/96

THE STATES commenced consideration of a proposition of the Health and Social Services Committee regarding the sale of the property 9 St. James Street, St. Helier. After discussion, and on the proposition of Deputy Alan Breckon of St. Saviour, the proposition was lodged ``au Greffe".

Clarkson House, La Rue de la Haye du

Puits, Grouville: purchase

THE STATES, adopting a proposition of the Health and Social Services -

- (a) authorised the purchase from the Clarkson Trust of the freehold of the property known as Clarkson House, La Rue de la Haye de Puits, Grouville, as shown on drawing No. 511/1, for a consideration of £352,500 with each party being responsible for its own legal fees;
- (b) authorised the Greffier of the States to sign the said drawing on behalf of the States;
- (c) authorised the Attorney General and the Greffier of the States to pass, on behalf of the the public, any contract which it might be found necessary to pass in connexion with the said property and all interests therein;
- (d) authorised the payment or discharge of any expenses incurred in connexion with the acquisition of the said property and all interests therein, from the Planning and Environment Committee's Vote of Credit Acquisition of Land - Major Reserve (Vote No. C0904).

Drug Trafficking (Miscellaneous Provisions)
(Jersey) Law 199 - P.18/96 and P.50/96

THE STATES commenced consideration of the draft Drug Trafficking (Miscellaneous Provisions) (Jersey) Law 1996 and adopted the Preamble and Articles 1, 2 and 3.

Article 4 was adopted, the States having accepted an amendment of the Finance and Economics Committee that the Article be re-numbered as paragraph (1) and the following paragraph inserted -

“(2) For paragraph (1) of Article 22 of the 1978 Law there shall be substituted the following paragraph -

“(1) This Article applies to offences under Article 5, paragraphs (1) and (2) of Article 6 and Article 7 of this Law.’”.

Articles 5 to 35 and the First and Second Schedules were adopted.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Drug Trafficking (Miscellaneous Provisions) (Jersey) Law 199 .

Drug Offences (International Co-operation) (Jersey) Law 199 - P.19/96

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Drug Offences (International Co-operation) (Jersey) Law 199 .

Draft Advocates and Solicitors (Jersey) Law 199 - P.68/96

THE STATES commenced consideration of the draft Advocates and Solicitors (Jersey) Law 199 . After discussion, and on the proposition of Senator Corrie Stein, further consideration was deferred, the President of the Legislation Committee having undertaken to present a report to the States.

Draft Advocates and Solicitors (Jersey) Law 199 : amendments - P.87/96

The President of the Legislation Committee lodged "au Greffe" the amendments of the draft Advocates and Solicitors (Jersey) Law 199 .

Loi (199) sur l'hypothèque des biens-fonds incorporels - P.70/96

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Loi (199) sur l'hypothèque des biens-fonds incorporels.

Social Security (Amendment No. 12) (Jersey) Law 1996 (Appointed Day) Act 1996 - P.76/96

THE STATES, in pursuance of Article 3 of the Social Security (Amendment No. 12) (Jersey) Law 1996, made an Act entitled the Social Security (Amendment No. 12) (Jersey) Law 1996 (Appointed Day) Act 1996.

Health Insurance (Amendment No. 10) (Jersey) Law 1996 (Appointed Day) Act 1996 - P.77/96

THE STATES, in pursuance of Article 2 of the Health Insurance (Amendment No. 10) (Jersey) Law

1996, made an Act entitled the Health Insurance (Amendment No. 10) (Jersey) Law 1996 (Appointed Day) Act 1996.

Insular Insurance and Health Insurance (Investment of Funds) (Jersey) Act 1972 (Repeal) (Jersey) Act 1996 - P.78/96

THE STATES, in pursuance of Article 30 of the Health Insurance (Jersey) Law 1967, as amended, made an Act entitled the Insular Insurance and Health Insurance (Investment of Funds) (Jersey) Act 1972 (Repeal) (Jersey) Act 1996.

Extraordinary meeting

THE STATES agreed to meet in extraordinary session on 2nd July 1996.

Adjournment

THE STATES adjourned having agreed to consider the proposition regarding 2 to 10 Halkett Place and 21 and 23 Hill Street, St. Helier development: financing (P.58.96 revised) early in the proceedings under Public Business at the meeting on 18th June 1996.

THE STATES rose at 4.50 p.m.

C.M. NEWCOMBE

Deputy Greffier of the States.