

**THE STATES assembled on Tuesday,
2nd November 1999 at 9.30 a.m. under
the Presidency of the Deputy Bailiff
Francis Charles Hamon, 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-

Deputy Michael Adam Wavell - out of the Island

Prayers

Connétable of Trinity - re-election

The Deputy Bailiff, on behalf of the members of the States, congratulated Mr. Philip Roy Cabot on his re-election as Connétable of Trinity.

Subordinate legislation tabled

The following enactments were laid before the States, namely-

Social Security (Earnings Limit) (No. 2) (Jersey) Order 1999. R & O 9457.

Lodging Houses (General Provisions) (Amendment No. 6) (Jersey) Order 1999. R & O 9458.

Building Bye-Laws (Amendment No. 3) (Jersey) 1999. R & O 9460.

Island Planning (Fees) (Amendment No. 3) (Jersey) Order 1999. R & O 9461

Companies (Uncertificated Securities) (Jersey) Order 1999. R & O 9462.

Cottage Homes Committee - resignation of President

THE STATES accepted the resignation of Deputy Shirley Margaret Baudains of St. Helier as President of the Cottage Homes Committee.

Housing Committee - appointment of President

There were nominated for appointment as President of the Housing Committee -

Senator Corrie Stein - proposed Senator Pierre François Horsfall
Senator Wendy Kinnard - proposed by the Connétable of St. Mary
Deputy Terence John Le Main of St. Helier - proposed by the Deputy of Trinity
Senator Patricia Ann Bailhache - proposed by Deputy Jacqueline Jeannette Huet of St. Helier.

THE STATES having proceeded to a secret ballot, the Deputy Bailiff declared the following results -

Deputy Terence John Le Main	-	14 votes
Senator Patricia Ann Bailhache	-	14 votes
Senator Wendy Kinnard	-	13 votes
Senator Corrie Stein	-	10 votes

Senator Corrie Stein then withdrew from the election.

THE STATES having proceeded to a second secret ballot, the Deputy Bailiff declared the following results -

Deputy Terence John Le Main	-	20 votes
Senator Patricia Ann Bailhache	-	17 votes
Senator Wendy Kinnard	-	14 votes

Senator Wendy Kinnard then withdrew from the election.

THE STATES having proceeded to a third secret ballot, the Deputy Bailiff declared the following results -

Deputy Terence John Le Main	-	26 votes
Senator Patricia Ann Bailhache	-	24 votes

There was one spoilt paper.

The Deputy Bailiff accordingly declared that Deputy Terence John Le Main of St. Helier had been elected President of the Housing Committee.

Housing Committee - appointment of members

Deputy Terence John Le Main, President of the Housing Committee, nominated for appointment as members of the Housing Committee -

- Connétable of Trinity
- Deputy Michael Adam Wavell of St. Saviour
- Deputy Harry Hallewell Baudains of St. Clement
- Deputy Henry George Coutanche of St. Lawrence
- Deputy Graeme Ernest Rabet of St. Helier
- Deputy Gerard Clifford Baudains of St. Clement

Senator Wendy Kinnard was proposed by Senator Stuart Syvret.

Senator Patricia Ann Bailhache was proposed by Deputy Jacqueline Jeannette Huet of St. Helier but subsequently withdrew.

THE STATES having proceeded to a secret ballot, the Deputy Bailiff declared the following results -

Deputy Graeme Ernest Rabet	-	41 votes
Deputy Harry Hallewell Baudains	-	38 votes
Deputy Henry George Coutanche	-	36 votes
Deputy Gerard Clifford Lemmens Baudains	-	34 votes
Connétable of Trinity	-	33 votes
Deputy Michael Adam Wavell	-	32 votes
Senator Wendy Kinnard	-	27 votes

The Deputy Bailiff accordingly declared that the following had been elected members of the Housing Committee -

Connétable of Trinity
Deputy Michael Adam Wavell of St. Saviour
Deputy Harry Hallewell of St. Clement
Deputy Henry George Coutanche of St. Lawrence
Deputy Graeme Ernest Rabet of St. Helier
Deputy Gerard Clifford Lemmens Baudains of St. Clement

Cottage Homes Committee - appointment of President and members

THE STATES appointed Deputy Terence John Le Main of St. Helier as President of the Cottage Homes Committee and appointed the following as members of the Committee -

Connétable of Trinity
Deputy Michael Adam Wavell of St. Saviour
Deputy Harry Hallewell of St. Clement
Deputy Henry George Coutanche of St. Lawrence
Deputy Graeme Ernest Rabet of St. Helier

Employment and Social Security Committee - resignation of member

THE STATES noted the resignation of Deputy Terence John Le Main of St. Helier from the Employment and Social Security Committee.

Matters presented

The following matters were presented to the States-

International Conventions and Agreements: progress report for the period 1st April 1999 to 30th September 1999 - R.C.40/99.

Presented by the Policy and Resources Committee.

Cupressus Leylandii Trees (P.123/99): report - P.123/99 Rpt.

Presented by the Planning and Environment Committee.

Draft Road Traffic (No. 51) (Jersey) Regulations 199 (P.127/99): amendments (P.173/99) - report - P.173/99 Rpt.

Presented by the Defence Committee.

Establishment of a Home Affairs Committee (P.174/99): comments - P.174/99 Com.

Presented by the Establishment Committee.

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

Matters lodged

The following matters were lodged "au Greffe" -

Supply of bottled water - P.177/99.

Lodged: 2nd November 1999.

Presented by the Deputy of St. John and referred to the Health and Social Services Committee.

Population policy (P.175/99): amendments - P.178/99.

Lodged: 2nd November 1999.

Presented by Deputy J.T. Johns of St. Helier.

Draft Amendment (No. 19) of the Standing Orders of the States of Jersey - P.179/99.

Presented by the House Committee.

Television Licence Fee: rebate for senior citizens - P.180/99.

Presented by Senator R.J. Shenton and referred to the Committee for Postal Administration.

Arrangement of public business for the next meeting on 9th November 1999

THE STATES confirmed that, in addition to the list of public business agreed on 26th October 1999, the following matter lodged “au Greffe” would be considered at the next meeting on 9th November 1999 -

Draft Invalid Care Allowance (Jersey) Regulations 199 - P.172/99.

Lodged: 26th October 1999.

Employment and Social Security Committee.

States Legislation Programme 1999: Electronic Commerce Law - P.154/99

THE STATES, adopting a proposition of the Policy and Resources Committee, agreed that the drafting of the Electronic Commerce (Jersey) Law should be included in the States Legislation Programme for 1999.

Shops (Sunday Trading) (Amendment No. 3) (Jersey) Law 199 - P.106/99, P.106/99 Rpt.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Shops (Sunday Trading) (Amendment No. 3) (Jersey) Law 199 .

Senator Frank Harrison Walker declared an interest in the subject matter of the proposition and withdrew from the Chamber prior to the consideration of the matter.

Fish Health (Jersey) Regulations 199 - P.138/99

THE STATES, in exercise of the powers conferred on them by Article 2 of the European Communities Legislation (Implementation) (Jersey) Law 1996, made Regulations entitled the Fish Health (Jersey) Regulations 1999.

Loi (199) (Amendement No. 13) sur l'Etat Civil - P.136/99

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Loi (199) (Amendement No. 13) sur l'Etat Civil.

Planning for Homes: rezoning of land for social rented and first-time buyer housing - P.150/99

THE STATES commenced consideration of a proposition of the Planning and Environment Committee on the rezoning of land for social rented and first-time buyer housing. After discussion Deputy Paul Vincent Francis Le Claire of St. Helier proposed that the States move on to the next item on the order paper which proposition was rejected.

Sub-paragraph (i) of paragraph (a) was adopted.

Members present voted as follows -

“Pour” (45)

Senators

Shenton, Horsfall, Rothwell, Le Maistre, Stein, Quérée, Bailhache, Syvret, Norman, Kinnard.

Connétables

St. Lawrence, St. Mary, St. Brelade, St. Peter, Grouville, St. Helier, St. Martin, St. Ouen, St. John, Trinity, St. Saviour.

Deputies

H. Baudains(C), Le Sueur(H), Coutanche(L), St. Mary, S. Baudains(H), Le Geyt(S), Trinity, Pullin(S), Johns(H), Routier(H), Layzell(B), Breckon(S), Grouville, Huet(H), St. Martin, St. John, Le Main(H), Blampied(H), Rabet(H), Crowcroft(H), Vibert(B), de la Haye(B), St. Peter, Dubras(L).

“Contre” (3)

Connétable

St. Clement.

Deputies

G. Baudains(C), Le Claire(H).

The Deputy of St. Ouen abstained from voting.

Sub-paragraphs (ii) to (iv) of paragraph (a) were adopted.

Members present voted on sub-paragraph (iv) of paragraph (a) as follows -

“Pour” (32)

Senators

Shenton, Horsfall, Rothwell, Le Maistre, Quérée, Bailhache, Kinnard.

Connétables

St. Lawrence, St. Mary, St. Brelade, St. Helier, St. Martin, St. Ouen, St. John, St. Saviour, St. Clement.

Deputies

H. Baudains(C), Le Sueur(H), Coutanche(L), Trinity, Pullin(S), Routier(H), Layzell(B), Grouville, St. Martin, St. John, Le Main(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L), G. Baudains(C).

“Contre” (7)

Senator

Syvret.

Connétable

St. Peter.

Deputies

Le Geyt(S), Johns(H), Huet(H), St. Ouen, Le Claire(H).

Sub-paragraph (v) of paragraph (a) was adopted.

Members present voted as follows -

“Pour” (38)

Senators

Shenton, Horsfall, Rothwell, Le Maistre, Quérée, Norman.

Connétables

St. Lawrence, St. Mary, St. Brelade, St. Peter, Grouville, St. Helier, St. Martin, St. Ouen, St. John, Trinity, St. Saviour, St. Clement.

Deputies

H. Baudains(C), Le Sueur(H), Coutanche(L), St. Mary, Trinity, Pullin(S), Johns(H), Routier(H), Layzell (B), Huet(H), St. Martin, St. John, Le Main(H), Rabet(H), Vibert(B), de la Haye(B), St. Peter, Dubras(L), St. Ouen, G. Baudains(C).

“Contre” (6)

Senators

Bailhache, Syvret, Kinnard.

Deputies

Le Geyt(S), Crowcroft(H), Le Claire(H).

THE STATES rejected paragraph (b) of the proposition requesting them to rezone about 36.7 vergées of land at Fields 1218 and 1219, Mont a l’Abbé, St. Helier, as shown on Map No. 625/1, from the Green Zone to use for a mixed development of social rented and first-time buyer homes, self-catering tourist accommodation and community facilities (including educational uses, public open space and cemetery extensions).

Members present voted as follows -

“Pour” (16)

Senators

Shenton, Rothwell, Quérée, Norman, Kinnard.

Connétables

St. Lawrence, St. John.

Deputies

Coutanche(L), St. Mary, Trinity, Layzell(B), Breckon(S), St. John, Le Main(H), St. Peter, Dubras(L).

“Contre” (28)

Senators

Le Maistre, Bailhache, Syvret.

Connétables

St. Mary, St. Brelade, Grouville, St. Helier, St. Martin, St. Ouen, Trinity, St. Saviour, St. Clement.

Deputies

H. Baudains(C), Le Sueur(H), S. Baudains(H), Le Geyt(S), Johns(H), Duhamel(S), Routier(H), Grouville, Huet(H), St. Martin, Rabet(H), Crowcroft(H), Vibert(B), de la Haye(B), St. Ouen, Le Claire(H).

Senator Pierre François Horsfall declared an interest and withdrew from the Chamber prior to consideration of paragraph (b).

Paragraphs (c) to (h) were adopted.

THE STATES, adopting paragraphs (a) and (c) to (h) of a proposition of the Planning and Environment Committee -

- (a) rezoned to use for social rented and/or first-time buyer homes and ancillary community facilities -
 - (i) from the Agricultural Priority Zone about 5.2 vergées of land at Hodge Nurseries, St. Clement, including Field 94, two areas of ageing glasshouses on part of Fields 93 and 94 and the property known as 'L'Abri', La Grande Route de la Côte, St. Clement, as shown on Map No. 625/2;
 - (ii) from the Green Zone about 3.2 vergées of land at Bagot Manor Farm, St. Saviour, including a dilapidated glasshouse complex, Bagot Manor Road, St. Saviour, together with an area of land at the southern end of Field 812 required for access purposes, as shown on Map No. 625/3;
 - (iii) from the Agricultural Priority Zone about 8.1 vergées of land at Field 1078, comprising an old glasshouse nursery and the property known as 'Abilina', La Grande Route de St. Jean, Sion, St. John, as shown on Map No. 625/4;
 - (iv) from the Sensitive Landscape Area of the Agricultural Priority Zone about 2.7 vergées of land at Field 615, La Chasse Brunet, St. Saviour, as shown on Map No. 625/6;
 - (v) from the Sensitive Landscape Area of the Agricultural Priority Zone about 9.5 vergées of land at Fields 378 and 379, Bel Air Lane/Rue a la Dame, St. Saviour, as shown on Map No. 625/5;
- (c) agreed that in the event of a proven need, the Planning and Environment Committee, in consultation with appropriate Committees, should require a suitable portion of any land described in paragraph (a) where appropriate, to be used for accommodation and specialised facilities to meet the requirements of elderly and handicapped people;
- (d) in the event of proposals for the private development of any of the land described in paragraph (a) failing to satisfy the Planning and Environment Committee and Housing Committee within six months of the land being zoned, authorised the Planning and Environment Committee to negotiate with the owners for the purchase of the land at a fair and proper price to be agreed with the Finance and Economics Committee;
- (e) agreed that in the event of it not being possible to reach agreement on a fair and proper purchase price, the Planning and Environment Committee should be empowered, in exercise of the power conferred by Article 4 of the Island Planning (Jersey) Law, 1964, as amended, to acquire the land by compulsory purchase on behalf of the public in accordance with the provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law, 1961, as amended;
- (f) authorised the payment or discharge of the expenses to be incurred in connexion with the acquisition of the said land and all interest therein and of the payment of all legal expenses from the Housing Development Fund;

- (g) if appropriate, authorised the Planning and Environment Committee to transfer any land acquired in accordance with paragraphs (d) and (e) to the administration of the Housing Committee ;
- (h) authorised the Attorney General and the Greffier of the States to pass, on behalf of the public, any contracts which it might be found necessary to pass in connexion with the said properties and any interests therein.

Adjournment

THE STATES then adjourned, having agreed that consideration of the outstanding items of public business should be deferred until the next meeting on 9th November 1999 when they would be taken as the first items of matters lodged “au Greffe” listed under Public Business.

THE STATES rose at 6.06 p.m.

G.H.C. COPPOCK

Greffier of the States.