

**THE STATES assembled on Tuesday,
12th July 2005, at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,
was present.**

All members were present with the exception of –

Senator Jean Amy Le Maistre– out of the Island
Senator Wendy Kinnard – ill
Senator Michael Edward Vibert– out of the Island
Senator Edward Philip Vibert– ill
Senator Richard Joseph Shenton – ill
Alan Breckon, Deputy of St. Saviour– ill.

Prayers read by the Acting Dean of Jersey.

London Terrorist attacks – 7th July 2005 – letter to U.K. Government

The Bailiff informed members of the contents of a letter he had sent on behalf of the States and Island of Jersey to the Rt. Hon Tony Blair MP, Prime Minister, following the London terrorist attacks on 7th July 2005, in the following terms –

“Dear Prime Minister

I write on behalf of the States Assembly and the people of Jersey who have been deeply shocked by the terrorist attacks in London yesterday.

Our immediate thoughts and sympathies lie with all those affected by this appalling violence and especially with the families of the victims. We also think particularly of the courageous and dedicated efforts of the emergency services and medical staff at this time.

We wish to associate ourselves strongly with the principle that such cowardly terrorist attacks on innocent people should not be allowed to subvert the liberties and privileges that lie at the heart of a free and democratic society.

Yours sincerely,

Bailiff.”

Subordinate legislation tabled

The following enactments were laid before the States, namely –

Battle of Flowers (Jersey) Order 2005.
Environment and Public Services Committee.

R&O 64/2005.

Gorey Fête (Jersey) Order 2005.

R&O 65/2005.

Environment and Public Services Committee.

Community Provisions (Côte d'Ivoire Restrictive Measures) (Jersey) Order 2005. R&O 66/2005.
Policy and Resources Committee.

Community Provisions (Zimbabwe – Restrictive Measures) (No. 5) (Jersey) Order 2005. R&O 67/2005.
Policy and Resources Committee.

Matters presented

The following matters were presented to the States –

Employment and Social Security Committee: Report and Accounts 2004.
Presented by the Employment and Social Security Committee.

Overseas Aid Committee: Annual Report 2004.
Presented by the Overseas Aid Committee

Report by the Government Actuary on the Financial Condition of the Social Security Fund as at 31st December 2003. R.C.55/2005.
Presented by the Employment and Social Security Committee.

Rural Economy Strategy (P.112/2005): comments. P.112/2005.
Presented by the Policy and Resources Committee. Com.

Environment and Public Services: establishment of Ministers and Departments (P.120/2005) – comments. P.120/2005.
Presented by the Finance and Economics Committee. Com.(2)

Draft Island Planning (Amendment No. 9) (Jersey) Law 200 (P.127/2005): comments. P.127/2005.
Presented by the Policy and Resources Committee. Com.

Draft Planning and Building (Amendment No. 3) (Jersey) Law 200 (P.128/2005): comments. P.128/2005.
Presented by the Policy and Resources Committee. Com.

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

Matters lodged

The following matters were lodged “au Greffe” –

Le Squez Estate, St. Clement, Phase 1B: redevelopment approval of drawings. P.146/2005.
Presented by the Housing Committee.

Draft Public Finances (Jersey) Law 2005 (Appointed Day No. 1) Act 200. P.148/2005.
Presented by the Finance and Economics Committee.

Draft Public Finances (Comptroller and Auditor General) (Jersey) Regulations 200-. P.149/2005.
Presented by the Finance and Economics Committee.

Comptroller and Auditor General: appointment.
Presented by Deputy S.C. Ferguson of St. Brelade.

P.150/2005.

Field 571, La Rue du Puits Mahaut, Grouville: petition P.147/2005.

The Deputy of Grouville presented to the States a petition on behalf of certain of the residents and others relating to Field 571, La Rue du Puits Mahaut, Grouville, praying that the Environment and Public Services Committee refuse to grant permission for the development of Field 571, La Rue du Puits Mahaut, Grouville which was currently in the Countryside Zone and in agricultural use, for commercial development.

THE STATES referred the petition to the Environment and Public Services Committee and the Deputy of Grouville lodged "au Greffe" a proposition to the effect that the prayer of the petition be granted.

Le Squez Estate, St. Clement, Phase 1B: redevelopment- approval of drawings – (P.146/2005) – withdrawn

THE STATES granted leave to the President of the Housing Committee to withdraw the following matter lodged "au Greffe" at the present meeting –

Le Squez Estate, St. Clement, Phase 1B: redevelopment approval of drawings. P.146/2005.
Lodged: 12th July 2005.
Presented by the Housing Committee.

Arrangement of public business for the next meeting on 19th July 2005

THE STATES granted leave to the President of the Policy and Resources Committee to defer consideration of the following matter set down for consideration at the next meeting on 19th July 2005 –

Waterfront Enterprise Board: renewal of ten-year working limit. P.114/2005.
Lodged: 21st June 2005.
Policy and Resources Committee.

Waterfront Enterprise Board: renewal of ten-year working limit (P.114- P.114/2005.
2005) – amendment. Amd.
Lodged: 5th July 2005. (re-issue)
Senator P.V.F. Le Claire.

THE STATES granted leave to the President of the Finance and Economics Committee to defer consideration of the following matter set down for consideration at the next meeting on 19th July 2005 –

Draft Public Finances (Amendment) (Jersey) Law 200-. P.133/2005.
Lodged: 28th June 2005.
Finance and Economics Committee.

THE STATES granted leave to Deputy Sarah Craig Ferguson of St. Brelade to defer consideration of the following matter set down for consideration at the next meeting on 19th July 2005 –

Warren Farm, Noirmont, St. Brelade. P.125/2005.
Lodged: 22nd June 2005.
Deputy S.C. Ferguson of St. Brelade.

THE STATES granted leave to Deputy Geoffrey Peter Southern of St. Helier to defer consideration of the following matter set down for consideration at the next meeting on 19th July 2005 –

Draft Amendment (No. 28) of the Standing Orders of the States of Jersey. P.122/2005.
Lodged: 21st June 2005.
Deputy G.P. Southern of St. Helier.

THE STATES confirmed that the following matters lodged “au Greffe” and set down for consideration at the next meeting on 19th July 2005, would be considered in the following order –

Provision of Extra Funding for Native Welfare. P.138/2005.
Lodged: 5th July 2005.
Connétable of St. Helier.

Draft Island Planning (Amendment No. 9) (Jersey) Law 200. P.127/2005.
Lodged: 22nd June 2005.
Environment and Public Services Committee.

Draft Island Planning (Amendment No. 9) (Jersey) Law 200 (P.127/2005): P.127/2005.
comments. Com.
Presented: 12th July 2005.
Policy and Resources Committee.

Draft Planning and Building (Amendment No. 3) (Jersey) Law 200. P.128/2005.
Lodged: 22nd June 2005.
Environment and Public Services Committee.

Draft Planning and Building (Amendment No. 3) (Jersey) Law 200 (P.128/2005): P.128/2005.
comments. Com.
Presented: 12th July 2005.
Policy and Resources Committee.

Rural Economy Strategy. P.112/2005.
Lodged: 21st June 2005.
Economic Development Committee.

Rural Economy Strategy (P.112/2005): comments. P.112/2005.
Presented: 12th July 2005. Com.
Policy and Resources Committee.

Rural Economy Strategy (P.112-2005): amendment. P.112/2005.
Lodged: 5th July 2005. Amd.
Connétable of St. Helier.

Draft Shops (Sunday Trading) (Trial Arrangements) (Jersey) Regulations 200-. P.108/2005.
Lodged: 7th June 2005. (re-issue)
Legislation Committee.

Units 1 and 2, L’Avenue Le Bas, La Rue des Pres Trading Estate: reassignment of P.104/2005.
leases.
Lodged: 7th June 2005.
Committee for Postal Administration.

Draft Restriction on Smoking (Amendment) (Jersey) Law 200-. P.111/2005.
Lodged: 21st June 2005.
Health and Social Services Committee.

Draft Restriction on Smoking (Amendment) (Jersey) Law 200- (P.111/2005): P.111/2005.

amendments. Lodged: 28th June 2005. <i>Deputy J.L. Dorey of St. Helier.</i>	Amd.
Restriction on smoking in enclosed workplaces. Lodged: 22nd June 2005. <i>Health and Social Services Committee.</i>	P.126/2005.
Draft Companies (Amendment No. 8) (Jersey) Law 200. Lodged: 21st June 2005. <i>Economic Development Committee.</i>	P.110/2005.
Draft Children and Day Care (Amendment) (Jersey) Law 200-. Lodged: 19th April 2005. <i>Health and Social Services Committee.</i>	P.73/2005.
Draft Day Care of Children (Jersey) Law 2002 (Appointed Day) Act 200-. Lodged: 21st June 2005. <i>Education, Sport and Culture Committee.</i>	P.113/2005.
Draft Education (Amendment) (Jersey) Law 200-. Lodged: 21st June 2005. <i>Education, Sport and Culture Committee.</i>	P.117/2005.
Greenfields Centre, St. Saviour: approval of drawings. Lodged: 21st June 2005. <i>Education, Sport and Culture Committee.</i>	P.118/2005.
Draft Matrimonial Causes (Amendment No. 11) (Jersey) Law 2003 (Appointed Day) Act 200-. Lodged: 28th June 2005. <i>Legislation Committee.</i>	P.129/2005.
Draft Criminal Justice (Evidence of Children) (Jersey) Law 2002 (Appointed Day) Act 200-. Lodged: 28th June 2005. <i>Legislation Committee.</i>	P.130/2005.
Draft States of Jersey (Period for Ordinary Election) (Jersey) Regulations 200-. Lodged: 28th June 2005. <i>Privileges and Procedures Committee.</i>	P.131/2005.
Draft States of Jersey Law 2005 (Appointed Day) (No. 1) Act 200. Lodged: 28th June 2005. <i>Privileges and Procedures Committee.</i>	P.132/2005.
Draft Plant Health (Jersey) Law 2003 (Appointed Day) Act 200-. Lodged: 28th June 2005. <i>Environment and Public Services Committee.</i>	P.134/2005.
Draft Social Security (Amendment No. 18) (Jersey) Law 200. Lodged: 28th June 2005. <i>Employment and Social Security Committee.</i>	P.135/2005.
Draft Children (Jersey) Law 2002 (Appointed Day) Act 200-. Lodged: 5th July 2005.	P.139/2005.

Health and Social Services Committee.

Draft Adoption (Amendment No. 5) (Jersey) Law 2002 (Appointed Day) Act 200. P.140/2005.
Lodged: 5th July 2005.
Health and Social Services Committee.

Draft Children (Contact in Care) (Jersey) Regulations 200-. P.141/2005.
Lodged: 5th July 2005.
Health and Social Services Committee.

Draft Children (Placement) (Jersey) Regulations 200-. P.142/2005.
Lodged: 5th July 2005.
Health and Social Services Committee.

16 Clairvale Road, St. Helier: Adult Mental Health Rehabilitation Unit– proposed P.144/2005.
purchase.
Lodged: 5th July 2005.
Health and Social Services Committee.

THE STATES, adopting a proposition of Senator Stuart Syvret, agreed to meet, if necessary, on Tuesday 26th July 2005, for the purpose of continuing consideration of the business set down for the next meeting on Tuesday 19th July 2005.

Members present voted as follows –

POUR: 39

Senator J.A. Le Maistre
Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator P.F.C. Ozouf
Connétable of St. Martin
Connétable of St. Saviour
Connétable of St. Brelade
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. John
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy T.J. Le Main (H)
Deputy M.F. Dubras (L)
Deputy G.C.L. Baudains (C)
Deputy J.L. Dorey (H)
Deputy C.J. Scott Warren (S)
Deputy L.J. Farnham (S)
Deputy R.G. Le Hérisssier (S)
Deputy J-A. Bridge (H)
Deputy J.A. Martin (H)

CONTRE: 3

Deputy of St. John
Deputy P.N. Troy (B)
Deputy J.A. Bernstein (B)

ABSTAIN: 2

Connétable of St. Ouen
Deputy J.B. Fox (H)

Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of St. Mary
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy M.A. Taylor (C)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)

Solid Waste Strategy – P.95/2005
Amendments and comments

THE STATES commenced consideration of a proposition of the Environment and Public Services Committee concerning a Solid Waste Strategy and rejected an amendment of Deputy Maurice François Dubras of St. Lawrence that in paragraph (a)(viii), for the words “*bring forward for the approval of the States proposals for a future inert waste disposal site*” there be substituted the words “*bring forward within two years for the approval of the States a feasibility study of future land-based inert waste disposal sites, such as those described in the report of Deputy M.F. Dubras of St. Lawrence dated 7th June 2005, without recourse to any further marine reclamation sites in accordance with Policy M1 of the Island Plan 2002*”.

Members present voted as follows –

POUR: 3

Connétable of Grouville
Deputy M.F. Dubras (L)
Deputy R.G. Le Hérisier (S)

CONTRE: 42

Senator J.A. Le Maistre
Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator P.F.C. Ozouf
Connétable of St. Martin
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Brelade
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. John
Deputy of Trinity
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy of St. John
Deputy G.C.L. Baudains (C)
Deputy J.L. Dorey (H)
Deputy P.N. Troy (B)
Deputy F.G. Voisin (L)
Deputy C.J. Scott Warren (S)
Deputy L.J. Farnham (S)

ABSTAIN: 0

Deputy J.B. Fox (H)
Deputy J-A. Bridge (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy J.A. Bernstein (B)
Deputy S.C. Ferguson (B)
Deputy of St. Mary
Deputy of St. Ouen
Deputy M.A. Taylor (C)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)

THE STATES commenced consideration of amendments of Deputy Robert Charles Duhamel of St. Saviour that—

- (1) in paragraph (a)(i), after the words “*be charged*”, the subsequent words be renumbered as new sub-paragraph (A) and in that new sub-paragraph there be deleted the words “*PET*” and “*and to achieve the recycling aims stated in the report*”, and that, after the new sub-paragraph (A), there be inserted the following new sub-paragraphs in paragraph (a)(i)—
 - “(B) to investigate the commercial opportunities afforded by European and international recycling companies in tendering for the construction and/or operation of the recycling centre as set out in sub-paragraph (A) above;
 - (C) to instigate recycling schemes and systems in order to put Jersey in the top 5% of worldwide best practice in respect of the composting and recycling of “non inert” solid waste over the lifetime of the strategy and to set baseline recycling targets for specific commodities as set out in the report of Deputy R.C. Duhamel of St. Saviour dated 21st June 2005, and to keep such targets under active review;
 - (D) to take active steps to promote waste minimisation and recycling throughout the community and to encourage all States Departments to lead by example.”,
- (2) in paragraph (a)(ii), for the words “*composting facility for recycling of garden and green waste, by 2007*” there be substituted the words “*facility or facilities for recycling garden waste, green waste and household kitchen waste to form compost or soil improvers, which can be applied to the land or exported, before the end of 2006*”, and ,
- (3) in paragraph (a)(iii), for the words “*a pilot scheme for a coordinated collection system for recyclables (including paper, aluminium, glass and PET plastics)*”, there be substituted the words “*a kerbside collection scheme which is capable of collecting segregated biodegradable material and dry recyclates separately by the end of 2006 with any additional or one-off costs arising from this scheme to be borne by the States of Jersey*”.

THE STATES, following consideration, rejected a proposition of Deputy Lyndon John Farnham of St. Saviour that, in accordance with Standing Order 26(A)(1), the question be now put.

Members present voted as follows –

POUR: 12

Senator L. Norman
Connétable of St. Saviour
Connétable of St. Brelade
Connétable of St. Mary

CONTRE: 29

Senator J.A. Le Maistre
Senator S. Syvret
Senator F.H. Walker
Senator T.A. Le Sueur

ABSTAIN: 0

Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Deputy M.F. Dubras (L)
Deputy L.J. Farnham (S)
Deputy M.A. Taylor (C)

Senator P.F.C. Ozouf
Connétable of St. Martin
Connétable of St. Ouen
Connétable of St. Peter
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy of St. John
Deputy T.J. Le Main (H)
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy J-A. Bridge (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy J.A. Bernstein (B)
Deputy S.C. Ferguson (B)
Deputy of St. Mary
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
Deputy J.A. Hilton
Deputy G.W.J. de Faye (H)

Senator Jean Amy Le Maistre– attendance

Senator Jean Amy Le Maistre, having returned to the Island, arrived in the Chamber during consideration of the amendment to the Solid Waste Strategy of Deputy Maurice François Dubras of St. Lawrence, (P.95/2005 Amd lodged “au Greffe” on 7th June 2005), and was present for the remainder of the meeting.

Change in Presidency

The Deputy Bailiff retired from the Chair prior to the consideration of the proposition of Deputy Lyndon John Farnham of St. Saviour that, in accordance with Standing Order 26(A)(1), the question be now put, and the meeting continued under the Presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

Adjournment

THE STATES then adjourned, having agreed to reconvene on Wednesday 13th July 2005, in order to resume consideration of the outstanding matters of public business.

THE STATES rose at 5.35 p.m.

M.N. DE LA HAYE

Greffier of the States.