



**THE STATES assembled on Tuesday,
12th March, 1985 at 10.15 a.m. under
the Presidency of the Deputy Bailiff,
Peter Leslie Crill, Esquire, C.B.E.**

All members were present with the exception of—

Senator Jane Patricia Sandeman – out of the Island.
Leonard James Norman, Connétable of St. Saviour – ill.
Henri Leon Dubras, Deputy of St. Martin – out of the
Island.

Prayers

Subordinate legislation tabled.

The following enactments were laid before the States, namely –

1. Control of Borrowing (Amendment No. 3) (Jersey) Order, 1985. R & O 7364.
2. Motor Vehicles (Construction and Use) (Amendment No. 16) (Jersey) Order, 1985. R & O 7366.
3. Decimal Currency (Calling in half-pennies) (Jersey) Order, 1985. R & O 7367.
4. Cremation (Fees) (Amendment No. 2) (Jersey) Order, 1985. R & O 7368.
5. Road Vehicles Lighting (Amendment No. 11) (Jersey) Order, 1985. R & O 7369.
6. Road Traffic (Saint Helier) (Amendment No. 9) (Jersey) Order, 1985. R & O 7370.

7. Road Traffic (Saint Helier) (Amendment No. 10) (Jersey) Order, 1985. R & O 7371.
8. Road Racing (Motor Vehicle Sprints) (Jersey) Order, 1985. R & O 7372.

Island Development Committee – appointment of member.

THE STATES appointed Mr. Alan Charles Le Maistre, Connétable of Grouville, as a member of the Island Development Committee.

Births, Marriages and Deaths 1984. R.C.1.

The Etat Civil Committee by Act dated 5th February, 1985, presented to the States a Statement of Births, Marriages and Deaths in 1984.

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

Agricultural Loans Report 1984. R.C.2.

The Agriculture and Fisheries Committee by Act dated 12th February, 1985, presented to the States a Report on the Agricultural Loans and Guarantees Fund for the year ending 31st December, 1984 and commenting on the operation during 1984 of the Agriculture (Loans) (Jersey) Regulations, 1974, as amended.

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

Public Lotteries Report 1984. R.C.3.

The Gambling Control Committee by Act dated 5th February, 1985, presented to the States a Report on Public Lotteries promoted and conducted during 1984.

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

Regulation of Undertakings and Development: Report for 1984. R.C.4.

The Finance and Economics Committee by Act dated 4th March, 1985, presented to the States a Report for 1984 on the Regulation of Undertakings and Development.

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

Draft Family Nursing Services (Jersey) Law, 198 : Report. P.21/85.

The Public Health Committee by Act dated 13th February, 1985, presented to the States a Report on the draft Family Nursing Services (Jersey) Law, 198 . (P.5/85).

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

Contingencies vote of credit – Fort Regent Development Committee.

THE STATES noted an Act of the Finance and Economics Committee dated 18th February, 1985, informing the House that it had made available to the Fort Regent Development Committee the sum of £50,000 from the Contingencies vote of credit to enable urgent remedial work to be carried out on the Swimming Pool.

Social Security Report and Statement of Accounts 1984.

The Social Security Committee by Act dated 24th January, 1985, presented to the States its Report and Statement of Accounts for the year ended 30th September, 1984.

THE STATES ordered that the said Report and Statement of Accounts be printed and distributed.

Matters noted – land transactions.

THE STATES noted Acts of the Finance and Economics Committee dated 4th February, 18th February and 4th March, 1985, showing

that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Public Works Committee, the acquisition from O'Callaghan Estates Limited of 876 square feet of land forming part of Kirkstone, Bel Royal, which land had been leased for the construction of a bus lay-by between Beaumont and Bel Royal, at the rate of £2.00 a square foot plus costs;
- (b) as recommended by the Public Works Committee, the cession by the Parish of St. John of 468 square feet of land alongside the frontage of St. John's Village Development Phase IV, and the purchase of 243 square feet of land from Mr. Clarence Albert Coutanche for a consideration of £156.90, representing a rate of 65p a square foot, required in connexion with the road widening at Mont Mado and at Rue des Issues, St. John, subject to the Committee being responsible for the payment of legal costs and also for the costs of accommodation works involved;
- (c) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Miss Ann Smith of the property 1 Waverley Place, St. Helier, for a consideration of £32,000 for the realty, plus the payment of a disturbance allowance of £2,000 and legal fees;
- (d) as recommended by the Harbours and Airport Committee, the renewal of the lease to Mr. Leslie Rabet of part of Field No. 277, Mont à la Brune, St. Peter, known as Letting No. 69 and measuring V0.32.8, for a period of three years with effect from 1st January, 1985, at an annual rent of £20, representing a rate of £25 a vergée;
- (e) as recommended by the Harbours and Airport Committee, the renewal of the lease to Les

Viviers de Ste. Catherine of 1,735 square feet of accommodation underneath the walkway on Victoria Pier, St. Helier Harbour, for the purpose of storing live shellfish, for a period of three years, with effect from 1st February, 1985, at an annual rent of £2,776, representing a rate of £1.60 a square foot.

Matter noted – financial transaction.

THE STATES noted an Act of the Finance and Economics Committee dated 7th January, 1985, showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules, 1967, as amended, the Committee had noted that the Education Committee had accepted the lowest of six tenders, namely that submitted by Mark Amy Limited in the sum of £157,041.00 in a contract period of 26 weeks for the development of Le Squez Youth Club (extension to include games hall, changing accommodation and small coffee bar).

Matters lodged.

The following subjects were lodged “au Greffe” –

1. **35 Clearview Street, St. Helier: purchase and subsequent sale of leases. P.22/85.**
Presented by the Housing Committee. The States decided to take this subject into consideration on 26th March, 1985.
2. **Rediffusion Cable Television: removal of ban on local advertising. P.23/85.**
Presented by Senator Richard Joseph Shenton. The States decided to take this subject into consideration on 16th April, 1985.

The following were lodged “au Greffe” on 12th February, 1985 –

1. **La Grange, Rue de Bocage, St. Peter: Sale. P.10/85.**
Presented by the Establishment Committee.

2. **Public Employees Contributory Retirement Scheme: admission of the Advisory Training Council. P.11/85.**

Presented by the Establishment Committee.

The States decided to take the abovementioned subjects into consideration on 26th March, 1985.

The following subjects were lodged “au Greffe” on 26th February, 1985 –

1. **Shell Museum, Fort Regent: purchase. P.12/85.**
Presented by the Fort Regent Development Committee.
2. **Estate of the late Mrs. E.J. Bailhache: transfer of properties. P.13/85.**
Presented by the Public Health Committee.
3. **Axminster House, Devonshire Place, St. Helier: lease. P.14/85.**
Presented by the Public Works Committee.
4. **Draft Family Allowances (Jersey) Regulations, 198 . P.15/85.**
Presented by the Social Security Committee.
5. **Airways House, Caledonia Place, St. Helier: sub-lease. P.16/85.**
Presented by the Public Works Committee.

The States decided to take the abovementioned subjects into consideration at the present Sitting.

6. **Dates of Senators and Deputies Elections. P.17/85.**
Presented by Deputy Enid Clare Quenault of St. Brelade.

The following subject were lodged “au Greffe” on 5th March, 1985 –

1. **Val de la Mare Reservoir: evaluation. P.18/85.**
Presented by Deputy Corrie Stein of Grouville.
The States decided to take this subject into consideration on 26th March, 1985.

2. **100 Halkett Place, St. Helier: transfer of administration. P.19/85.**
Presented by the Public Health Committee.
3. **Draft Sea-Fisheries (Immature Sea-Fish) (Amendment No. 5) (Jersey) Regulations, 198 . P.20/85.**
Presented by the Agriculture and Fisheries Committee. The States decided to take this subject into consideration on 26th March, 1985.

Register of Financial Interests. P.8/85.

THE STATES acceded to the request of Senator Richard Joseph Shenton that the Proposition regarding a Register of Financial Interests (lodged on 22nd January, 1985) be deferred from the present sitting to 26th March, 1985.

Draft Licensing (No. 3) (Jersey) Regulations, 198 . P.7/85.

THE STATES acceded to the request of the President of the Tourism Committee that the draft Licensing (No. 3) (Jersey) Regulations, 198 (lodged on 22nd January, 1985) be considered at the present Sitting immediately before the matters already set down for debate.

Draft Family Nursing Services (Jersey) Law, 198 . P.5/85.

THE STATES acceded to the request of Deputy Corrie Stein of Grouville that the draft Family Nursing Services (Jersey) Law, 198 (lodged on 15th January, 1985 and referred to the Public Health Committee) be considered at the present Sitting.

Consumer Protection Legislation. P.150/84.

THE STATES acceded to the request of Deputy Norman Stuart Le Brocq of St. Helier that the Proposition regarding Consumer Protection Legislation be deferred from 19th March, 1985 to 16th April, 1985.

Preparation of Conveyances by non-lawyers. P.120/84.

THE STATES acceded to the request of Senator Richard Joseph Shenton that the Proposition regarding the preparation of conveyances by non-lawyers (lodged on 4th September, 1984) be considered on 16th April, 1985.

Professional practices – application of Regulation of Undertakings and Development Law. Questions and answers.

Senator Richard Joseph Shenton asked Senator Reginald Robert Jeune, President of the Finance and Economics Committee, the following questions –

- “1. Will the President confirm that the Finance and Economics Committee is fully aware of the concern in the Island about the comments made in a recent court case in England about the activities of an English solicitor working in Jersey?
2. Will the President inform the House whether the Committee is satisfied that it has sufficient powers under the Regulation of Undertakings and Development law to refuse permission to non-residents to set up in professional practices if the Committee is not satisfied that it would be in the best interests of the Island for consent to be given?
3. If it has the necessary power, will the Committee rigorously use it in future?
4. If it has not, will it introduce the necessary amendments to the Law as a matter of urgency?”

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

- “1. I can confirm that my Committee is fully aware of the concern in the Island arising from the comments in the recent court case in the United Kingdom regarding the supposed activities of an English solicitor living and working in Jersey.

2. My Committee, supported by the views of the Law Officers of the Crown, is satisfied that the powers available to it under the Regulation of Undertakings and Development Law provide for permission to be withheld for the commencement of any undertaking, including a professional practice, whenever the carrying on of that undertaking would in the view of the Committee not be in the best economic interests of the Island.
3. My Committee is continuing the policy of the previous Finance and Economics Committee, under the presidency of Senator Vibert, in granting a licence under Part II of the Regulation of Undertakings and Development Law for the commencement of an undertaking by a person without full residential qualifications only when it is satisfied substantial and sufficient benefits are to be derived by the Island. In 1984 four consents were issued to such persons, and none involved the setting up of a professional practice. My Committee in the pursuit of this policy will continue to apply it rigorously to each and every licence application received from those without full residential qualifications.
4. There is no requirement to amend the Regulation of Undertakings and Development Law for, as the answers to the previous questions have shown, my Committee has sufficient powers available to refuse permission to non-residents to set up professional practices.”

**Members of the legal profession working from offices in Jersey.
Questions and answers.**

Senator Richard Joseph Shenton asked Deputy Edgar John Becquet of Trinity, President of the Legislation Committee, the following questions –

- “1. Will the President confirm that the Legislation Committee is fully aware of the concern in the Island about the comments made in a recent court case in England about the activities of an English Solicitor working in Jersey?

2. Will the President inform the House whether any measures can be introduced to control or to discipline members of the legal profession working from offices in Jersey who are not at present subject to Jersey law governing practice in the Island?
3. If the answer to question 2. is in the affirmative, will the President undertake to present such amendments for approval by the States as a matter of urgency?"

The President of the Legislation Committee replied as follows –

“1, 2 and 3. Yes, the Legislation Committee is fully aware of the concern. I have already been in communication with the Deputy Bailiff about this matter and we are urgently considering with the English Law Society, what steps, if any, are available to discipline English solicitors working in the Island and, if these steps are not considered sufficient, or do not exist, what appropriate powers should be sought by the Jersey authorities.

I will keep the States informed of the outcome of these discussions.”

Promenade between Millbrook and Bel Royal. Questions and answers.

The Connétable of St. Lawrence asked Deputy Donald George Filleul of St. Helier, President of the Public Works Committee, the following questions –

“These questions relate to the section of the promenade between Millbrook and Bel Royal (P.65 of 1984 refers, which was accompanied by plans 320/5 and 320/6 and which were debated by the States on 26th June, 1984) –

1. Will the President of the Public Works Committee tell the States if, when he presented the plan for a cycleway, he intended to reduce the width of the promenade to 8ft. to accommodate a large flower bed in this section?

2. Who decided that it was desirable to have a garden 10ft. wide – would not an extension of the existing 2ft. 9ins. trough which currently divides the cycle track from the promenade at certain points have been sufficient?
3. Having regard to the number of walkers and joggers who enjoy the promenade, will the President agree that reducing the width from 15ft. to 8ft. is denying members of the public an amenity which they have long enjoyed?
4. Will the President confirm that the States were not asked to sanction this significant reduction in width and will he now reconsider the matter so that the public may continue to enjoy their promenade?"

The President of the Public Works Committee replied as follows –

- “1. No. The intention was to carry out the wishes of the States by constructing a safe cyclist’s track, protecting them from vehicular traffic and pedestrians from them.
2. The section in question originally comprised a rough gravel pedestrian way, potholed and uncomfortable to use. When the cycle track was completed pedestrians immediately took to it, proving their preference and forcing cyclists on to the gravel to avoid them. After studying videos of this the Committee decided to create a smooth walkway for pedestrians on the sea side. It was entirely successful but cost £13,000 of our maintenance of footpaths vote. A wider path would not be justified financially or in terms of its necessity, as the answer to question 3 shows.
3. Considerable portions of the promenade are no wider than the section in question and the President frequently observes members of the public enjoying them.
4. The Committee is fully aware of the interest taken by the House in its activity but does not believe that it would wish to enter into design details of its footpaths

and public amenity areas; the Committee's performance in this area and that of environmental improvement has met with general approval and it is anticipated that the work being criticised today will, on maturity, be no less appreciated."

Swimathon. Personal statement.

Deputy Enid Clare Quenault of St. Brelade made an oral statement in which she informed the House that the States Members team, which took part in the Swimathon, had raised £580 for charity. Deputy Quenault thanked the Bailiff for his attendance and support and all the Members for their support.

Janvrin School – classroom extension.

THE STATES, adopting a Proposition of the Education Committee –

- (a) approved drawing No. 2462/48 showing the proposed classroom extension at Janvrin School;
- (b) authorised the Greffier of the States to sign the said Drawing on behalf of the States.

Airport Arrivals Hall Improvements: transfer of funds.

THE STATES, adopting a Proposition of the Harbours and Airport Committee, approved the transfer of £16,000 from the capital vote of credit granted to that Committee under the heading "Airport – Construction of Airport Fire Station" to the capital vote of credit under the heading "Airport – Arrivals Hall Improvements" to meet increased costs within that vote.

Rue des Pres, St. Saviour: exchange of land.

THE STATES, adopting a Proposition of the Resources Recovery Board –

- (a) approved an exchange of land between the public of the Island and Mr. Henry George Matson of 5 Meadowpark, Rue des Pres, St. Saviour involving –
 - (i) the ceding by Mr. Matson, free of charge, of an area of land measuring approximately 160 square feet, shown hatched green on Drawing No. 1397 to the public of the Island;
 - (ii) the ceding, by the public of the Island, free of charge, of an area of land measuring approximately 1030 square feet, shown hatched red on Drawing No. 1397 to Mr. Matson;

subject to the following conditions –

- (i) no structure of any kind to be permitted on the area ceded to Mr. Matson with the exception of the chain link fencing around the area;
 - (ii) Mr. Matson to allow the surface water culvert to remain as presently established or to be replaced by a larger culvert if this should ever be necessary;
 - (iii) the public to have right of access at any time when it is necessary to clean, repair or carry out any maintenance on, the culvert;
 - (iv) Mr. Matson to pay the cost of placing boundary stones and all legal fees;
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts in the matter;
 - (c) authorised the Treasurer of the States to receive the legal fees involved.

Jersey New Waterworks Company Limited: appointment of Directors.

THE STATES, adopting a Proposition of the Finance and Economics Committee, referred to their Acts dated 24th August,

1982 and 22nd February, 1983, and approved the appointment of the undermentioned Members as Directors of the Jersey new Waterworks Company Limited, with effect from 1st April, 1985, in accordance with Article 74 of the Articles of Association of the Company –

Senator John William Ellis
Senator Anne Baal
Deputy John Le Gallais
Deputy Jack Roche as the Member of the Finance and Economics Committee.

Jersey Electricity Company Limited: appointment of Directors.

THE STATES, adopting a Proposition of the Finance and Economics Committee, approved the appointment of the undermentioned Members as Directors of The Jersey Electricity Company Limited, with effect from 1st April, 1985, in accordance with Article 106 of the Articles of Association of the Company –

Senator Richard Joseph Shenton
Senator Reginald Robert Jeune, O.B.E.
Senator Bernard Thomas Binnington
Deputy Enid Clare Quenault.

Social Security Tribunal: appointment of member.

THE STATES, adopting a Proposition of the Social Security Committee, referred to their Act dated 14th February, 1984, and in pursuance of Article 1 of the Social Security (Jersey) Law, 1974, as amended, appointed Mr. Peter Le Gallais as a Member of the Social Security Tribunal for the remainder of the three year period ending 31st December, 1986 in place of Mr. Michael John O’Keeffe, deceased.

Attendance Allowance Board: appointment.

THE STATES, adopting a Proposition of the Social Security Committee, appointed the undermentioned as members of the

Attendance Allowance Board, in pursuance of Article 4 of the Attendance Allowances (Jersey) Law, 1973, for a period of three years commencing 14th March, 1985 –

Mr. St. John Birt, O.B.E. (Chairman)

Dr. J. Newell

Dr. W.M. Diggle

Dr. F.M. Braines

Dr. S. Milner

Mrs. J.M. Norman

Mrs. M. Rebindaine.

Licensing (No. 3) (Jersey) Regulations, 1985.

THE STATES commenced consideration of the draft Licensing (No. 3) (Jersey) Regulations, 1985 and adopted the Preamble.

Regulation 1 was adopted, the States having accepted an amendment of the Tourism Committee that the figures “14” be deleted from the Regulation.

Regulation 2 was adopted.

THE STATES, in pursuance of Article 92 of the Licensing (Jersey) Law, 1974, as amended, made Regulations entitled the Licensing (No. 3) (Jersey) Regulations, 1985.

Methodist Homes for Aged (Jersey) Limited: loan.

THE STATES, adopting a Proposition of the Finance and Economics Committee –

- (a) agreed that a loan of £150,000 be made free of interest to the Methodist Homes for Aged (Jersey) Limited, towards the cost of constructing a home for elderly persons at Stuart Villa, Millbrook, subject to the conditions that –
 - (i) if at any time the property ceased to be operated by the Company as a home for elderly persons,

the States may require repayment of the loan by an amount equal to 21 per cent of the assessed market value of the property at that time;

- (ii) if at any time the Company wish to repay the loan, such repayment must be of an amount equal to 21 per cent of the assessed market value of the property at that time;
- (iii) no person shall be allowed to take up accommodation in the home without the prior agreement of the Housing Committee.

The President of the Finance and Economics Committee, Senator Reginald Robert Jeune, declared an interest in the matter and withdrew from the Chamber prior to the debate.

Family Nursing Services (Jersey) Law, 1985.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Family Nursing Services (Jersey) Law, 1985.

Shell Museum, Fort Regent: purchase.

THE STATES, adopting a Proposition of the Fort Regent Development Committee –

- (a) rescinded their Act of 15th May, 1984, relating to the purchase of the Shell Museum at Fort Regent and agreed to purchase from Mrs. Sigrun Sprake, née Straube, the business known as the Shell Museum at Fort Regent for the sum of £30,000 plus the cost of stock at valuation in accordance with the stock list provided and payment of the legal fees;
- (b) authorised the annulment of the lease of Room No. S1 at Fort Regent to Mrs. Sprake with effect from 1st January, 1985;
- (c) authorised the Greffier of the States to sign the necessary agreement for sale; and

- (d) authorised the Attorney General and the Greffier of the States to pass the necessary contract of “annulation” with Mrs. Sprake with effect from 31st January, 1985.

Estate of the late Mrs. E.J. Bailhache: transfer of properties.

THE STATES, adopting a Proposition of the Public Health Committee –

- (a) approved the transfer to Mrs. Katherine Mary Ara, née Le Seilleur, of the following properties –

No. 45 Hill Street;
No. 4 Bath Street;
Nos. 33 & 35 Burrard Street;
No. 41 New Street, all in St. Helier; and Roselea Farm, St. Martin;

on condition that Mrs. Ara will ratify the title of the Public of the Island, as sole devisee to the Will of Mrs. Eunice Jane Bailhache, her grandmother, to the following properties –

Nos. 12, 14 & 16 Burrard Street;
No. 52 Don Street;
No. 1 Newtown Buildings, David Place;
No. 10 The Terrace, Grosvenor Street;
No. 9 St. James’ Street;
No. 3 Gloucester Street;
No. 78 New Street;
No. 12 Halkett Street; and
The Annexe, Le Chatelet, Victoria Street, all in St. Helier;

- (b) authorised the distribution of the “Suspense Account” conducted by the Treasurer of the States for an on account of the estate of the late Mrs. Eunice Jane Bailhache with the Midland Bank plc., as follows –
- (i) £18,000 to the Treasurer of the States for the benefit of the Public Health Committee;

- (ii) 40 per cent of the remaining balance to Mrs. Katherine Mary Ara; and
 - (iii) the remaining 60 per cent of the remaining balance to the Treasurer of the States for the benefit of the Public Health Committee;
- (c) agreed that the properties that will vest in the Public of the Island under paragraph (a) and the monies to be distributed to the Treasurer of the States for the benefit of the Public Health Committee under paragraph (b), will be for the general welfare of persons elderly and/or blind or sick at the General Hospital, in accordance with the terms of the Will of real estate of the late Mrs. Eunice Jane Bailhache;
- (d) agreed that both parties hereto should each bear their own legal and other costs incurred in relation to the Will of real estate of the late Mrs. Eunice Jane Bailhache, the action brought by Mrs. Katherine Mary Ara to contest that Will, the settlement of that action, and the contract necessary to give effect to that settlement;
- (e) agreed that any further assets or income of the said real estate and any remaining liabilities relating to the said properties up to the date of the passing of the said contract will be portioned between the parties hereto in the same proportions;
- (f) authorised the Attorney General and the Greffier of the States to pass the necessary contracts in the matter.

Axminster House, Devonshire Place, St. Helier: lease. P.14/85.

THE STATES commenced consideration of a Proposition of the Public Works Committee regarding the lease of Axminster House, Devonshire Place, St. Helier for accommodating the Housing Department (lodged on 26th February, 1985). After discussion, and on the proposition of Senator John Le Marquand, the Proposition was referred back to the Committee.

Draft Family Allowances (Jersey) Regulations, 198 . P.15/85.

THE STATES commenced consideration of the draft Family Allowances (Jersey) Regulations, 198 (lodged on 26th February, 1985). After discussion, and on the proposition of Senator Richard Joseph Shenton, the draft Regulations were referred back to the Committee.

Airways House, Caledonia Place, St. Helier: sub-lease.

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

- (a) approved the renewal of the sub-lease to H. & H. Growers (1972) Limited of 1,118 square feet of office accommodation on the second floor of Airways House, 12 Caledonia Place, St. Helier, for a period of three years with effect from 1st November, 1984, at an annual rent of £6,500, payable quarterly in advance;
- (b) authorised the Greffier of the States to sign the necessary agreement;
- (c) authorised the Treasurer of the States to receive the rent as it became due.

THE STATES rose at 3.50 p.m.

E.J.M. POTTER,

Greffier of the States.