



STATES OF JERSEY ORDER PAPER

Tuesday 19th January 2016
at 10.30 a.m.

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Planning and Building (Display of Advertisements) (Amendment) (Jersey) Order 2015. <i>Minister for Planning and Environment.</i>	R&O.159/2015.
Planning and Building (General Development) (Amendment No. 2) (Jersey) Order 2015. <i>Minister for Planning and Environment.</i>	R&O.160/2015.
Planning and Building (Moveable Structures) (Amendment) (Jersey) Order 2015. <i>Minister for Planning and Environment.</i>	R&O.161/2015.
Income Support (General Provisions) (Amendment No. 19) (Jersey) Order 2015. <i>Minister for Social Security.</i>	R&O.162/2015.
Long-Term Care (Benefits) (Amendment No. 2) (Jersey) Order 2015. <i>Minister for Social Security.</i>	R&O.163/2015.
Planning and Environment (2016 Fees) (Jersey) Order 2015. <i>Minister for Planning and Environment.</i>	R&O.164/2015.
Motor Vehicle Registration (General Provisions) (Amendment No. 20) (Jersey) Order 2015. <i>Minister for Transport and Technical Services.</i>	R&O.165/2015.
Companies (General Provisions) (Amendment No. 5) (Jersey) Order 2015. <i>Chief Minister.</i>	R&O.166/2015.
Infrastructure (Driver and Vehicle Standards – 2016 Fees) (Jersey) Order 2015. <i>Minister for Transport and Technical Services.</i>	R&O.167/2015.
Excise Duty (Relief and Drawback) (Amendment No. 6) (Jersey) Order 2015. <i>Minister for Treasury and Resources.</i>	R&O.168/2015.
Health and Social Services (2016 Fees) (Jersey) Order 2015. <i>Minister for Health and Social Services.</i>	R&O.169/2015.
Mental Health (Review Tribunal) (Procedure) (Amendment No. 3) (Jersey) Order 2015. <i>Minister for Health and Social Services.</i>	R&O.170/2015.
Long-Term Care Services (Health and Social Services Charges) (Amendment) (Jersey) Order 2015. <i>Minister for Health and Social Services.</i>	R&O.171/2015.



Economic Development (2016 Fees) (Jersey) Order 2015. R&O.172/2015.
Minister for Economic Development.

Road Racing (Karts) (Jersey) Order 2016. R&O.1/2016.
Minister for Infrastructure.

C. DOCUMENTS PRESENTED OR LAID

Jersey Gambling Commission: appointment of Commissioner. R.138/2015
Presented: 21st December 2015.
Minister for Economic Development.

Age Discrimination Regulations: Consultation Paper. R.139/2015.
Presented: 22nd December 2015.
Minister for Social Security.

States of Jersey Financial Reporting Manual (December 2015). R.140/2015.
Presented: 24th December 2015.
Minister for Treasury and Resources.

Health and Social Services: A Sustainable Primary Care Strategy for Jersey 2015 – R.1/2016.
2020.
Presented: 6th January 2016.
Minister for Health and Social Services.

Jersey Innovation Fund: Annual Report 31st December 2014. R.2/2016.
Presented: 6th January 2016.
Minister for Economic Development, Tourism, Sport and Culture.

Building a Safer Society: Annual Report 2014. R.3/2016.
Presented: 8th January 2016.
Minister for Home Affairs.

States of Jersey Law 2005: delegation of functions – Infrastructure – Scheme of R.4/2016.
delegations – January 2016.
Presented: 12th January 2016.
Minister for Infrastructure.

Jersey International Finance Centre: Financial Viability (Interim Report) S.R.7/2015.
(S.R.7/2015) – response of the Minister for Treasury and Resources. Res.
Presented: 13th January 2016.
Minister for Treasury and Resources.

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft EU Legislation (Consumer Protection – Unfair Practices) (Jersey) P.134/2015.
Regulations 201- (P.134/2015): amendment. Amd.
Lodged: 29th December 2015.
Minister for Economic Development.

Transcripts of ‘in camera’ debates: release to the Jersey Independent Care Inquiry P.155/2015.
(P.155/2015) – amendment. Amd.
Lodged: 12th January 2016.
Privileges and Procedures Committee.



Transcripts of ‘ <i>in camera</i> ’ debates: release to the Jersey Independent Care Inquiry (P.155/2015) – second amendment. Lodged: 12th January 2016. <i>Deputy M.R. Higgins of St. Helier.</i>	P.155/2015. Amd.(2)
Jersey Police Complaints Authority: re-appointment of Chairman. Lodged: 21st December 2015. <i>Minister for Home Affairs.</i>	P.158/2015.
Draft Health and Safety (Management in Construction) (Jersey) Regulations 201-. Lodged: 22nd December 2015. <i>Minister for Social Security.</i>	P.159/2015.
Draft Taxation (Implementation) (International Tax Compliance) (United States of America) (Amendment) (Jersey) Regulations 201-. Lodged: 24th December 2015. <i>Minister for External Relations.</i>	P.160/2015.
Draft Taxation (Implementation) (International Tax Compliance) (United Kingdom) (Amendment) (Jersey) Regulations 201-. Lodged: 24th December 2015. <i>Minister for External Relations.</i>	P.161/2015.
Draft Financial Regulation (Miscellaneous Provisions No. 3) (Jersey) Law 201-. Lodged: 24th December 2015. <i>Chief Minister.</i>	P.162/2015.
Jersey Bank Depositors Compensation Board: appointment of members. Lodged: 24th December 2015. <i>Chief Minister.</i>	P.163/2015.
States of Jersey Development Company Limited: appointment of Chairman. Lodged: 5th January 2016. <i>Minister for Treasury and Resources.</i>	P.1/2016.
Draft Dentistry (Jersey) Law 2015 (Appointed Day) Act 201-. Lodged: 12th January 2016. <i>Minister for Health and Social Services.</i>	P.2/2016.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

- (i) Resignation of the Connétable of St. Helier as Chairman of the Environment, Housing and Technical Services Scrutiny Panel.
- (ii) Appointment of the Chairman of the Environment, Housing and Technical Services Scrutiny Panel.

G. MATTERS OF PRIVILEGE

H. PETITIONS



I. QUESTIONS

(a) – Written Questions

(attached)

1. The Minister for Health and Social Services will table an answer to a question asked by the Connétable of St. Lawrence regarding the end of life care strategy.
2. The Minister for Health and Social Services will table an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding the ‘Williamson Report – Implementation Plan’.
3. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding domestic care agencies.
4. The Chairman of the Comité des Connétables will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding online voter registration.
5. The Chief Minister will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding potassium iodide tablets.
6. The Chief Minister will table an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding recommendations made by the Safeguarding Board.
7. The Minister for Infrastructure will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding pedestrian crossings and bus stops.
8. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Income Support pension income disregard.
9. The Minister for Health and Social Services will table an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding the report of the Comptroller and Auditor General into Community and Social Services.
10. The Minister for Health and Social Services will table an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding children in care.
11. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Income Distribution Survey.
12. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the outsourcing and privatisation of services.
13. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding outsourcing and privatisation of services.
14. The Minister for Home Affairs will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding arrests for possession of cannabis.
15. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding tax income from landlords.
16. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding High Net Worth status.
17. H.M. Attorney General will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding convictions for drugs offences.



18. The Minister for Social Security will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding individuals actively seeking work.
19. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding school fees.
20. The Chief Minister will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding Islanders with disabilities.
21. The Minister for Infrastructure will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding steps being taken to make cycling more convenient and safe.
22. The Minister for Environment will table an answer to a question asked by Deputy S.M. Wickenden of St. Helier regarding planning appeals.
23. The Minister for Infrastructure will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding strike action by taxi drivers.
24. The Minister for Housing will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding housing waiting lists.
25. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding lawyers involved in States appointed bodies.
26. The Minister for External Relations will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the U.K.'s referendum on membership of the European Union.
27. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Interim Population Policy.
28. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding potassium iodide tablets.
29. The Minister for Environment will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding solar panels.

(b) – Oral Questions

(120 minutes)

1. The Connétable of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –

“Is the Minister satisfied that the current operation of Jersey’s sea links with the U.K. provides adequate reliability, customer care and value for money and, if not, what steps, if any, is he taking to improve the service?”
2. Deputy A.D. Lewis of St. Helier will ask the following question of the Minister for Health and Social Services –

“Would the Minister confirm the total expenditure to date relating to the implementation of the Health and Social Services informatics IT strategy, provide an update on progress and indicate what savings have been achieved to date and will be achieved upon full implementation?”



3. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“What data, if any, does the Minister have on the number of domestic care agencies operating in the Island and whether their employment policies, including the use of zero hours contracts and the practice of regarding only contact time as paid work, with no consideration for travel time, put them at risk of breaching minimum wage legislation?”
4. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Can the Minister provide an estimate of how much GST is provided to the Treasury as a result of Islanders, aged over 70, redeeming the generous charitable gift vouchers given to them every Christmas?”
5. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Health and Social Services –

“What steps, if any, will the Minister take to reduce the waiting times for patients who need an MRI scan and what measures are currently in place should the MRI scanner break down?”
6. Deputy P.D. McLinton of St. Saviour will ask the following question of the Minister for Environment –

“Is the Minister prepared to consider introducing a tax on carbon emissions in order to encourage a move towards more environmentally friendly practices from both individuals and businesses in Jersey?”
7. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –

“Can the Chief Minister advise the extent to which the funds allocated to the work of the Jersey Independent Care Inquiry have been utilised, how much remains, whether he is aware that the Inquiry has indicated any concerns that more funds may be required and if so what he is prepared to do, if anything, to ensure such funds are made available to enable the Inquiry to complete its work?”
8. The Deputy of St. Ouen will ask the following question of the Minister for Health and Social Services –

“Why is it that the Ministerial Decision relating to the closure of The Limes Nursing Home, announced on 8th December 2015, has not been placed on the gov.je website as at 14th January 2016 - 25 working days later?”
9. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Social Security –

“What impact does the Minister estimate that the decision to cut the Income Support single parent component to zero over 3 years will have on the number of single parent households falling below the relative low income threshold by 2018?”
10. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Economic Development –

“Following the announcement that Blue Islands is to become a franchise partner with Flybe, can the Minister advise what impact this is likely to have on customer choice and value for money for the average person booking and taking flights to and from Jersey and state whether he is satisfied with competition in this area?”



11. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Health and Social Services –

“Could the Minister advise when it became apparent that People’s Park was the leading contender for the site for the new hospital and state whether the views and desires of the population of St. Helier were considered in the process?”

12. The Deputy of St. Ouen will ask the following question of the Chairman of the Comité des Connétables –

“Does the Chairman consider that the requirement for parishes to post to each ratepayer an annual rate return is a poor use of resources in terms of time and money, given that the information in the great majority of cases will be unchanged from the previous year and, if so, what consideration, if any, has been given to improving procedures?”

13. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Infrastructure –

“Has any progress been made on the allocation of dedicated public parking spaces for the new police station?”

14. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Can the Minister advise why Andium Homes do not list all properties and rents payable on their website for complete transparency?”

15. The Connétable of St. Helier will ask the following question of the Minister for Environment –

“Would the Minister confirm that the Open Space Study carried out for his department in 2008 showed that St. Helier is deficient in accessible, convenient open space and that the loss of amenity areas in the town area should be resisted and state what action, if any, is being taken to address this?”

16. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“Following the decision of the Minister to reduce the Income Support disregard for pension income, can she confirm that senior citizens who are newly eligible to claim a States pension in 2016, and who are entirely reliant on this for their income, having no second or occupational pension to supplement it, will be significantly worse off than previous pensioners, and what action, if any, does she propose to take?”

17. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Health and Social Services –

“Will the Minister confirm whether People’s Park is the only new site the department is assessing as a possible location for the new hospital, in addition to the three shortlisted sites included in the Atkins report on the strategic outline case, published in May 2013?”

(c) – Questions to Ministers without notice (30 minutes) –

1st question period – Minister for Housing

2nd question period – Chief Minister



J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Transcripts of ‘ <i>in camera</i> ’ debates: release to the Jersey Independent Care Inquiry. Lodged: 15th December 2015. <i>Deputy M.R. Higgins of St. Helier.</i>	P.155/2015.
Transcripts of ‘ <i>in camera</i> ’ debates: release to the Jersey Independent Care Inquiry (P.155/2015) – amendment. Lodged: 12th January 2016. <i>Privileges and Procedures Committee.</i>	P.155/2015. Amd.
Transcripts of ‘ <i>in camera</i> ’ debates: release to the Jersey Independent Care Inquiry (P.155/2015) – second amendment. Lodged: 12th January 2016. <i>Deputy M.R. Higgins of St. Helier.</i>	P.155/2015. Amd.(2)
Draft EU Legislation (Consumer Protection – Unfair Practices) (Jersey) Regulations 201-. Lodged: 26th October 2015. <i>Minister for Economic Development.</i>	P.134/2015.
Draft EU Legislation (Consumer Protection – Unfair Practices) (Jersey) Regulations 201- (P.134/2015): amendment. Lodged: 29th December 2015. <i>Minister for Economic Development.</i>	P.134/2015. Amd.
Draft Policing of Roads (Amendment No. 9) (Jersey) Regulations 201-. Lodged: 5th November 2015. <i>Minister for Transport and Technical Services.</i>	P.138/2015.
Draft Planning and Building (Amendment No. 7) (Jersey) Law 201-. Lodged: 17th November 2015. <i>Minister for Planning and Environment.</i>	P.142/2015.
Jersey Law Commission: appointment of Commissioners. Lodged: 24th November 2015. <i>Chief Minister.</i>	P.149/2015.
Minimum Wage: revised hourly rate from 1st April 2016. Lodged: 26th November 2015. <i>Deputy S.Y. Mézec of St. Helier.</i>	P.150/2015.
Draft Road Works and Events (Jersey) Law 201-. Lodged: 8th December 2015. <i>Minister for Transport and Technical Services.</i>	P.152/2015.
Gas Tariffs: reduction. Lodged: 14th December 2015. <i>Deputy G.P. Southern of St. Helier.</i>	P.154/2015.



M. ARRANGEMENT OF PUBLIC BUSINESS

2nd February 2015

La Collette Low Rise Development: direction to Andium Homes Ltd. P.139/2015.
Lodged: 9th November 2015.
Deputy R. Labey of St. Helier.

Concessionary bus fares for the disabled: discussions with LibertyBus. P.140/2015.
Lodged: 10th November 2015.
Deputy M. Tadier of St. Brelade.

Concessionary bus fares for the disabled: discussions with LibertyBus (P.140/2015) – P.140/2015.
comments. Com.
Presented: 14th December 2015.
Council of Ministers.

Draft Debt Remission (Individuals) (Jersey) Law 201-. P.153/2015.
Lodged: 9th December 2015.
Chief Minister.

Draft Children's Property and Tuteurs (Jersey) Law 201-. P.156/2015.
Lodged: 15th December 2015.
Chief Minister.

Draft Dogs (Amendment No. 4) (Jersey) Law 201-. P.157/2015.
Lodged: 15th December 2015.
Chief Minister.

Jersey Police Complaints Authority: re-appointment of Chairman. P.158/2015.
Lodged: 21st December 2015.
Minister for Home Affairs.

Draft Health and Safety (Management in Construction) (Jersey) Regulations 201-. P.159/2015.
Lodged: 22nd December 2015.
Minister for Social Security.

Jersey Bank Depositors Compensation Board: appointment of members. P.163/2015.
Lodged: 24th December 2015.
Chief Minister.

States of Jersey Development Company Limited: appointment of Chairman. P.1/2016.
Lodged: 5th January 2016.
Minister for Treasury and Resources.

23rd February 2015

Draft Taxation (Implementation) (International Tax Compliance) (United States of P.160/2015.
America) (Amendment) (Jersey) Regulations 201-.
Lodged: 24th December 2015.
Minister for External Relations.

Draft Taxation (Implementation) (International Tax Compliance) (United Kingdom) P.161/2015.
(Amendment) (Jersey) Regulations 201-.
Lodged: 24th December 2015.
Minister for External Relations.



Draft Financial Regulation (Miscellaneous Provisions No. 3) (Jersey) Law 201-. P.162/2015.
Lodged: 24th December 2015.
Chief Minister.

Draft Dentistry (Jersey) Law 2015 (Appointed Day) Act 201-. P.2/2016.
Lodged: 12th January 2016.
Minister for Health and Social Services.

8th March 2016

22nd March 2016

Draft Commissioner for Standards (Jersey) Law 201-. P.120/2015.
Lodged: 15th October 2015.
Privileges and Procedures Committee.

L.-M. HART
Deputy Greffier of the States

14th January 2016

Note –

In accordance with the meeting dates fixed for 2015 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 20th and Thursday 21st January 2016.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.159/2015.

This Order amends the Planning and Building (Display of Advertisements) (Jersey) Order 2006 (the “principal Order” as defined in *Article 1*).

Article 2 amends *Article 1* of the principal Order to provide definitions for the terms –

- (a) “ground level” which, in respect of a building, means the level of the surface of the ground immediately adjacent to the building and, in respect of an advertisement that is not displayed on a building, means the level of the surface of the ground on which the advertisement or the structure supporting the advertisement is situated; and
- (b) “ground floor level” which, in respect of a building, means the level immediately below the first floor of the building to the ground floor.

Article 3 amends *Article 10* of the principal Order to provide for an approved advertisement to be maintained in a manner which does not impair the visual amenity of the premises on which the advertisement is placed or the surrounding area and for any hoarding or similar structure used to display an approved advertisement to be maintained in a manner which does not interfere with public safety. The new conditions replace the conditions throughout *Schedule 1* of the principal Order which require that an approved advertisement must be maintained in a clean and tidy condition and that any hoarding or similar structure used to display an approved advertisement must be maintained in a safe condition.

Article 4 substitutes *Schedule 1* of the principal Order to amend the classes of approved advertisements and the relevant conditions.

In *Part 2* of *Schedule 1* to the principal Order, *Class A* is amended to increase the limits on the total aggregate area of an approved advertisement from 2 square metres to 5 square metres and to remove the restriction on the number of advertisements per piece of land or building. An advertisement on a building may be permitted in *Class A* if it is in a non-glazed part of the building and forms part of the fabric of the building.

Three new classes of approved advertisements are added to *Part 2* of *Schedule 1* to the principal Order.

The first is a new *Class B* to approve an advertisement in the form of a window graphic, or vinyl applied on a window or door in a building. No more than 25% of the glazed area must be covered by the advertisement.

The second is a new *Class C* to approve an advertisement in the form of a flag or banner on a car or fuel sales forecourt, garden centre or plant nursery. A condition is imposed to protect visibility lines at accesses from the car or fuel sales forecourt, garden centre or plant nursery. The advertisement must not obstruct the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person. No more than 4 advertisements under *Class C* must be placed in a car or fuel sales forecourt, garden centre or plant nursery.

The third is a new *Class D* which approves the replacement of previously approved advertisements since 1st June 2007. This includes the conditions that the dimensions of the sign remain the same and the lettering or logo height remain the same, but the material, colour and graphic used may be changed. The advertisement must be at ground floor level and exclude any illumination, projecting sign, flag or banner.

Under *Part 2* of *Schedule 1* to the principal Order, an advertisement under *Class A* or *Class D* must not be displayed so that the highest part of it is above the ground floor level, in the case of an advertisement displayed on a building; or 4 metres above the ground level, in the case of an advertisement displayed other than on a building.

Part 3 of *Schedule 1* to the principal Order is amended in *Class B* to permit an advertisement (including an advertisement on street level hoarding and on scaffolding sheeting or netting) on land by an architect, contractor or sub-contractor or other person relating to the carrying out by them of building or similar work on the land or by the developer, owner or occupier of the land in connection with the building, ownership or occupation of the land. This includes permission for an advertisement on street level hoarding with no restriction, and on scaffolding sheeting or netting up to a total aggregate area of



20 square metres. An advertisement by an architect, contractor or sub-contractor or other person carrying out work on land, or by the developer, owner or occupier of the land, is also permitted if it represents the completed development. An advertisement representing the completed development is not restricted in terms of its area or aggregated area with any other advertisement.

Class C in Part 3 of Schedule 1 to the principal Order permits an advertisement of a religious, educational, cultural, political, social or recreational nature. Class C is amended to include an advertisement of a parish or of a charitable nature and to remove an advertisement of a social nature within the list of approved advertisements.

Class D in Part 3 in Schedule 1 to the principal Order restricts the approval of a free-standing 1 sided or 2 sided advertisement to an advertisement stationed on the public road in front of the premises or business it is advertising. Class D is amended to include a free-standing advertisement that is within the premises or business it is advertising. Paragraph D.1 is amended to clarify that an advertisement is not approved by Class D if it exceeds one square metre per side.

Under classes A and C in Part 3 of the Schedule 1 to the principal Order, an advertisement must not be displayed so that the highest part of it is above the ground floor level, in the case of an advertisement displayed on a building; or 4 metres above the ground level, in the case of an advertisement displayed other than on a building.

Class A in Part 4 of Schedule 1 to the principal Order is amended to remove the provision that an advertisement is not approved by Class A (which permits advertisements displayed on enclosed land) if the enclosed land is or forms part of a site of special interest.

Article 5 provides for the citation of the Order and provides for it to come into force 7 days after it is made.

The Order was made on 16th December 2015 and came into force on 23rd December 2015.

R&O.160/2015.

This Order amends the Planning and Building (General Development) (Jersey) Order 2011 (the “principal Order” as defined in *Article 1*).

Article 2 amends Article 1 of the principal Order. New definitions are inserted for words used in the principal Order including “apron”, “external area”, “solar panel” and “painting”. For ease of reference, all definitions (including those previously located elsewhere in the principal Order) are now located within Article 1 of the principal Order. The definition “ground level” is re-defined so that in respect of a building it means the level of the surface of the ground immediately adjacent to and within 1 metre of the building or if the level of the surface of the ground on which it is situated or is to be situated is not uniform, the level of the lowest part of the surface of the ground adjacent to and within 1 metre of the building.

This will have an effect on Part 1 Class B.2(b) and Part 2 Class B.2(b) which restrict the height permissible for gates, walls, fences and other means of enclosure to 2 metres above ground level on ‘either side of it’. Additionally, the definition “road” is deleted and instead the definition “road” in the Planning and Building (Jersey) Law 2002 is applicable.

Article 3 amends Article 2(1) of the principal Order by removing the words “described as permitted development” to clarify that planning permission is granted by the Minister for the classes of development in the Schedule and that any such permission is subject to any relevant exceptions, limitations or conditions specified in Schedule 1.

Article 4 amends Article 3 of the principal Order which grants planning permission for use within a specified Class set out in Schedule 2 of the Order. The amendment substitutes a new paragraph for Article 3(3) the effect of which is to specify that a use Class that is not specified in Schedule 2 requires planning permission.

Article 5 amends Schedule 1 to the principal Order which sets out the classes of permitted development, the work that is not permitted under each class and the conditions attached to each class.



Part 1 of Schedule 1 – Work carried out within the curtilage of a dwelling-house

The sub-heading of Part 1 of Schedule 1 is specified as ‘Work carried out within the curtilage of a dwelling-house’. For clarity, the subheading heading is amended to include works to a dwelling-house.

In Part 1 of Schedule 1, permitted development in relation to canopies and porches to principal elevations is introduced in Class A. A canopy or porch that is a permitted development is restricted to 3 square metres in floor area, 2.75 metres in height from ground level and must not be within 2 metres of a road. Work is not permitted if the dwelling-house and its curtilage is or forms part of a protected site, if the work involves the formation or widening of a means of access to a road, or if the work creates an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person. The floor area of the porch is not included in the total aggregated area of 30 square metres under paragraph A.2(g).

Paragraph A.2(f) deals with the permissible heights of structures, extensions and garages within the curtilage of a dwelling-house. Paragraph A.2(f)(i) is amended to specify the highest point of a sloping roof (‘any part of the roof would exceed’) rather than the roof height so that the lack of clarity in cases where the roof is mono-pitched and not dual-pitched is removed. The heights of 3.5 metres and 2.5 metres remain unchanged.

Paragraph A.2(f)(ii) is amended to increase the permissible height of flat-roof structures from 2.75 metres to 3 metres above ground level.

Paragraph A.2(f)(iii) is reworded to clarify that within 1 metre of a boundary, the permissible height of any part of a structure is 2 metres above ground level.

Paragraph A.1 permits structures required for a purpose incidental to the enjoyment of the dwelling-house. Class A.2(g) and Class A.4 are amended so that a swimming pool or any other pool is a permitted structure.

In Class C, the formation of surfaces within the curtilage of a dwelling-house is restricted in paragraph C.2 (b) to 40 centimetres in height above the existing ground level. This does not take into account sloping land or works where there may need to be some excavation. Class C.2(b) and is reworded to include 40 centimetres in height ‘above *or below* ground level’.

In Class E, paragraph E.4 restricts the lowest part of the frame of any skylight to 1.7 metres above finished floor level. Paragraph E.4 is amended so that the restriction applies when the frame is within 10 metres of a boundary.

In paragraphs F.2 and F.3 of Class F, the restriction on the height of vents or flues, to 1 metre above the roof plane and not on a principal elevation, is amended so that they may be up to 1.5 metres in height with no restriction on a principal elevation. An additional restriction is imposed that flues are not permitted within 2.3 metres of a boundary. Class F is also amended so that a chimney, a flue or vent is permitted development.

Part 2 of Schedule 1 – Work carried out within the curtilage of a building containing one or more flats

The sub-heading of Part 2 of Schedule 1 is specified as ‘Work carried out within the curtilage of a building containing one or more flats’. For clarity, the subheading heading is amended to include works to a building.

In Class A, paragraph A.4 restricts the lowest part of the frame of any skylight to 11.7 metres above finished floor level. Paragraph A.4 is amended so that the restriction applies when the frame is within 10 metres of a boundary.

In Class C, the formation of surfaces within the curtilage of a building containing a flat is restricted in paragraph C.2 (b) to 40 centimetres in height above the existing ground level. This does not take into account sloping land or works where there may need to be some excavation. Class C.2(b) is reworded to include 40 centimetres in height ‘above *or below* ground level’ by inserting the words ‘or below’.

In paragraphs E.2 and E.3 of Class E, the restriction on the height of vents or flues to 1 metre above the roof plane and not on a principal elevation is amended so that they may be up to 1.5 metres in height with no restriction on a principal elevation, to more closely align with Building Bye-Laws. An additional restriction is imposed that flues are not permitted within 2.3 metres of a boundary. Class E is also amended so that a chimney flue or vent is permitted development.



Part 3 of Schedule 1 – Repairs, maintenance and minor works to land and buildings

In accordance with Article 5 of the Law, internal alterations that amount to building work are deemed development. In the principal Order, there is no permitted development for internal building work that does not amount to an external change. A new Class AA is therefore added to Part 3 of Schedule 1 which permits internal alterations that do not amount to an external change or create new floor space, a material change of use including subdivision of residential and non-residential premises, or internal building works as defined by the Law. This excludes such alterations made to a listed building or place.

In accordance with Article 5 of the Law, minor engineering works are deemed to constitute development. In the principal Order the only permitted development that exists for below ground engineering works is for public utilities. A new Class AB is therefore added to Part 3 of Schedule 1 which permits minor engineering works such as bore holes and drains on private land for private purposes. The requirement for an application for work for foul sewer systems, such as packaged treatment plants, septic tanks or tight tanks is retained. This excludes such development on a listed building or place, a potential listed building or place, an area of archaeological potential or a conservation area.

Class D (which permits closed circuit television cameras on private ways) is amended to insert a condition that the field of vision of a camera should, so far as practicable, not extend beyond the boundaries of the land where it is sited.

In Class E (which permits agricultural access), paragraphs E.1 and E.5 are amended to provide for the access to agricultural field for '*agricultural purposes only*'. In paragraph E.6, the requirement for gate posts to be made of granite is amended to include any natural material and the height restriction is reduced to a maximum of 90 centimetres above ground level. A new restriction is imposed at paragraph E.7 to limit the agricultural access to a maximum of 5 metres in width.

Class F (which permits the installation and replacement of windows and doors and the re-cladding of roofs) is amended to permit the blocking up of windows and doors at all levels; the reduction of window openings (larger opening to smaller openings) above ground floor level; the replacement of dormer windows and skylights of the same size or smaller; the reduction or enlarging of windows or doors on the ground floor and the rendering of areas of a building that are already rendered. New or replacement windows or doors must not encroach over roads or private ways. Class F is also amended to permit the replacement of roof coverings in any material, including a material that gives a height increase of up to 15 centimetres and the alteration of rain water goods and verges to accommodate the height increase rather than re-cladding of a roof. The replacement of roof coverings including a height increase is not permitted by Class F if it alters the shape of the roof.

Class G (which permits the erection of a structure on agricultural land to shelter livestock) is amended to clarify that the restriction on the area of the structure applies to the external area of the structure.

Class H (which allows for the creation of an equestrian sand school for private use on agricultural land) is deleted.

Class I (which permits the erection of a fence on agricultural land) is amended to include an option of wire tape or mesh fencing rather than merely timber post and rail.

Class K (which permits the carrying out of work for the maintenance or repair of a building) is amended to remove the reference to the replacement of a window or door.

Part 4 of Schedule 1 – The installation of equipment for the generation of electricity from renewable sources or for the efficient use of energy

Class A (which allows for the installation of solar panels) is amended to clarify that the permission applies to installations on a flat roof as well as a sloping roof plane and that the permission is not restricted to water-heating solar panels and to remove confusion over the difference between photovoltaic and water-heating solar panels. A solar panel is now defined in Article 1 of the principal Order to mean a microgeneration solar photovoltaic panel or solar thermal panel.

Class A is also amended to relax the restrictions for solar panels and permit a projection of up to 20 centimetres, rather than the current 10 centimetres and to permit installations on a total aggregated area no greater than 90% of the total area of the roof plane, instead of 50%. In addition, the aggregate area of ground mounted panels is restricted to no more than 9 square metres.



Class C (which permits the erection of a single wind-turbine for the generation of electricity on or within the curtilage of any building) is amended to clarify that a wind turbine and its structure that is not attached to a listed buildings and place, but is within the curtilage of a listed building or place, is not permitted.

Part 6 of Schedule 1 – Development by providers of public services and utilities

Class C (which permits certain development within the area of a harbour administered by the Harbour Master) is amended to expand this permitted development to include ramps and fixings for the pontoons and moorings and security fencing. Class C is also amended so that the repair and maintenance of ramps, fuel jetty and associated equipment, navigational aids, handrails, ladders, drying pads and operational equipment is permitted development.

Paragraph D.1 (which permits certain development within the boundaries of the airport is expanded to include the repair and maintenance of operational equipment and navigational aids, with the exclusion of reed beds.

The term “apron” used in Class C is defined in Article 1 to include the taxiway, perimeter, track and aircraft manoeuvring areas but not the runway. The effect is that an application for planning permission is required for any relocation or extension of the runway, but all other aprons such as the taxiway, perimeter track, aircraft manoeuvring areas, are permitted development.

A new map which defines the extent of the area within the airport boundary to which permitted development applies is inserted in Part 2 of the annexure to Schedule 1.

Schedule 1 Part 7 – Demolition

Class A.1(a) is deleted so that only walls, fences, gates or boundary enclosures the construction of which would be permitted development, are permitted for demolition.

Paragraph A.1(h) (which permits the demolition of any structure the construction of which would be permitted development) is amended to clarify that the permission applies to buildings as well as structures, given the reference to both elsewhere in Class A.

A new paragraph A.5 is inserted to provide that the infilling of the land as a result of the removal of a swimming pool structure is permitted development subject to a condition that the infill is clean and inert material.

Paragraph A.2(b) (which restricts the removal of a wall where the work would create an access to premises) is amended to limit this restriction to the creation of an access to a private road. This brings Part 7 in line with Parts 1 and 2 (which permit the removal of roadside walls on private ways).

Part 7 is also amended so that the demolition of commercial glasshouses as permitted development is no longer permitted development.

Part 8 of Schedule 1 – Changes of use

Part 8 contains the changes of uses which are permitted development. The Classes correspond with the list of classes in Schedule 2.

Class B is replaced so that development is permitted if it consists of a change of use from –

- (a) Class A – shop – to Class K medical and welfare;
- (b) Class B – cafes and restaurants to Class A – shop;
- (c) Class C – office to Class E – warehouse;
- (d) Class C – office to Class G – social;
- (e) Class F – tourism accommodation to Class J – residential institution;
- (f) Class H – sports and fitness to Class G – social;
- (g) Class H – sports and fitness to Class I – entertainment;
- (h) Class I – entertainment to Class G – social;



- (i) Class I – entertainment to Class H – sports and fitness;
- (j) Class J – residential institution to Class L – special institution;
- (k) Class K – medical and welfare to Class A – shop;
- (l) Class L – special institution to Class J – residential institution;
- (m) Class M – Late night entertainment and drinking venues to Class B – cafes and restaurants,
- (n) Class M – late night entertainment and drinking venues to a mixed use of Class B – cafes and restaurants and Class M – late night entertainment and drinking venues.

Schedule 2 – Use Classes

Schedule 2 lists the use classes for which planning permission is granted by the Minister where a building or other land is used for a purpose specified in a use Class set out in that Schedule to use the building or land for another purpose specified in that use class.

Class A (Shop) is amended to include in that use class the sale of hot drinks or cold drinks, cold food or warmed pre-prepared food.

Class B (Cafes and restaurants) is amended to provide only for use for the sale of food or drink for consumption on premises as a restaurant a cafeteria or for al fresco dining.

Class E (Warehouse) is amended to clarify that the class is for use as a wholesale (but not retail) warehouse or repository for storage including dry storage and cold storage. Class E does not include use as a store for agricultural purposes.

Class F (Tourism accommodation) is amended to clarify that the class is for use as tourism accommodation and to include a bed and breakfast and self-catering accommodation in that class.

Class H (Sports and fitness) is amended to include a rollerblading rink and to clarify that it includes a building or part of a building used for sports, dancing, martial arts or personal fitness training and a fitness studio including a building or part of a building used for yoga or pilates.

Class J (Residential institutions) is amended to include a women's refuge and a men's hostel.

Class K (Medical and welfare) is amended to include use as a building or part of a building for providing alternative health services including acupuncture, podiatry and massage.

A new Class M (Late night entertainment and drinking venues) is added being use for the sale of food or drink for consumption on premises as a bar including a wine bar, an entertainment venue, a night club and a public house or for alfresco dining. That class does not include use as a take-away.

The Order was made on 16th December 2015 and came into force on 13th January 2016.

R&O.161/2015.

This Order amends Article 2 of the Planning and Building (Moveable Structures) (Jersey) Order 2006 to provide for the Order to apply to any moveable structure (as defined in Article 80 of the Planning and Building (Jersey) Law 2002 (*Article 1*)). The effect of the amendment is that planning permission will be required for the erection or stationing of any moveable structure (rather than merely a moveable structure used for human habitation) on land for 28 days or more in any period of 12 consecutive months.

Article 2 provides for the citation of the Order and provides for it to come into force 28 days after it is made.

The Order was made on 16th December 2015 and came into force on 13th January 2016.



R&O.162/2015.

This Order amends the Income Support (General Provisions) (Jersey) Order 2008 and replaces the provisions formerly enacted in the Income Support (General Provisions) (Amendment No. 18) (Jersey) Order 2015 regarding the amount of a pensioner's pension income that, from 1st January 2016, is to be disregarded in calculating a household's income for the purposes of income support.

As before, the amendment creates 2 categories of persons of pensionable age –

- A person who has already attained pensionable age before 1st January 2016 and is either receiving income support before that date or the subject of an application for income support made before that date and granted after it (referred to in these amendments as an 'existing pensioner').
- A person who attains pensionable age and is not an existing pensioner (referred to in these amendments as a 'new pensioner').

For an existing pensioner, the disregard rule in force before 1st January 2016 is preserved and an alternative rule added. The combined effect is that the amount of an existing pensioner's pension income to be disregarded is whichever is the greater of 23% of that income or –

- 100% of the first £55.23 of that income or
- 100% of the first £35.77 of that income, if another existing pensioner in the household is allowed the disregard of the first £55.23.

For a new pensioner, 23% of his or her pension income is disregarded.

The Order was made on 18th December 2015 and came into force in accordance with Article 3.

R&O.163/2015.

This Order amends the Long-Term Care (Benefits) (Jersey) Order 2014 to increase the benefits payable under the Long-Term Care (Jersey) Law 2012 to adults receiving long term care services.

Article 1 defines the "principal Order" as the Long-Term Care (Benefits) (Jersey) Order 2014.

Article 2 amends Article 8 of the principal Order to increase by approximately 1.8% the rates for long-term care benefit comprising weekly standard care costs for long-term care. The separate rates for care received in a care home and a group home are now the same.

Article 3 amends Article 9 of the principal Order to increase by approximately 1.8% the amount that must be paid towards the weekly costs of living in a care home as one of the conditions for receiving a grant for the standard care costs and increases the maximum amount payable for incidental expenses as a condition for receiving such a grant.

Article 4 amends Article 10 of the principal Order to increase by approximately 1.8% the amount that must be paid towards the standard care costs (in addition to the amounts referred to in *Article 3*, where applicable) as one of the conditions for receiving a grant for such costs.

Article 5 amends Article 12 of the principal Order concerning conditions for a loan so that the weekly amount that must be paid towards the weekly costs of living in a care home or group home is the same amount as that referred to in *Article 9* of the principal Order.

Article 6 sets out the title of the Order and provides that it will come into force on 1st January 2016.

The Order was made on 18th December 2015 and came into force 1st January 2016.



R&O.164/2015.

Article 1 amends the High Hedges (Application Fee) (Jersey) Order 2008 by uprating the application fee chargeable by 1.35%. That fee was last increased by the Planning and Environment (2015 Fees) (Jersey) Order 2014 (the “2015 Fees Order”).

Article 2 amends –

- (a) Articles 2(1A) and 3 of the Planning and Building (Fees) (Jersey) Order 2008 (the “Development Fees Order”) so as to uprate by 1.46% the maximum aggregate fee payable in respect of multiple applications for planning permission and by 1.38% the fee payable for a completion certificate. Those fees were last increased by the 2015 Fees Order;
- (b) the table in Schedule 1 to the Development Fees Order relating to the application fees for planning permission so as to uprate the fees set by the 2015 Fees Order by an average of 1.5%. The opportunity is also taken to amend the description of certain types of proposed development so as to clarify where fees are applicable;
- (c) the table in Schedule 2 to the Development Fees Order in respect of the application fees for building permission so as to uprate the fees set by the 2015 Fees Order by an average of 1.5%. In addition a new fee is introduced in respect of applications for building permission to build dwelling houses in excess of 200 square metres; and
- (d) the table in Schedule 3 to the Development Fees Order so as to uprate the fees payable in respect of appeal applications. These fees were first introduced on 19th March 2015 under the Planning and Building (Miscellaneous Provisions) (Jersey) Order 2015 (which added Schedule 3 to the Development Fees Order) and are increased by this Order by 300%.

Article 3 amends Part 1 of the table in Schedule 1 to the Waste Management (Fees) (Jersey) Order 2008 so as to introduce a new periodic renewal fee payable on renewal of waste carriers registration every 3 years.

Article 4 amends the Plant Health (Field Inspections – Fees) (Jersey) Order 2014 so as to uprate by 4.55% the fee per vergée for inspecting *Narcissus* bulbs for infestation by stem and bulb eelworm. These inspection fees were first introduced on 1st January 2015.

Article 5 provides for the title of this Order and for it to come into force on 1st January 2016.

The Order was made on 21st December 2015 and came into force on 1st January 2016.

R&O.165/2015.

This Order makes provision for declaring and recording, when a vehicle is registered under the Motor Vehicle Registration (Jersey) Law 1993, whether or not the vehicle is a restricted speed agricultural tractor.

The Order was made on 21st December 2015 and came into force on 1st January 2016.

R&O.166/2015.

This Order removes Articles 8 and 9 of the Companies (General Provisions) (Jersey) Order 2002 which are no longer required as the provisions in respect of procedures at creditors’ meetings set out in those Articles are now set out in Article 169A of the Companies (Jersey) Law 1991.

The Order was made on 21st December 2015 and came into force on 22nd December 2015.



R&O.167/2015.

This Order increases, with effect from 1st January 2016, the fees payable in connection with –

- (a) examination or re-examination of a public service vehicle for a certificate of fitness, the grant of a public service vehicle licence and an application for a badge to drive such a vehicle, under the Motor Traffic (Public Service Vehicles) (Fees) (Jersey) Order 2008 (*Article 1*);
- (b) registration of a motor vehicle, changes of registration mark, issue of trade licences and of certificates in respect of vehicle standards, under the Motor Vehicle Registration (General Provisions) (Jersey) Order 1993 (*Article 2*);
- (c) registration of driving instructors under the Motor Cars (Driving Instruction) (Jersey) Order 1982 (*Article 3*);
- (d) applications for licensing of a vehicle that does not comply with construction and use requirements, under the Motor Vehicles (Construction and Use) (Jersey) Order 1998 (*Article 4*);
- (e) driving tests, under the Motor Vehicles (Driving Licences) (Jersey) Order 2003 (save that the fee for the compulsory basic training course remains unchanged and there is now a separate fee for an off road theory test in respect of C and D vehicles) (*Article 5*).

The fees are uprated by approximately 2.5% but have been rounded to the nearest pound so that a few have an increase of over 2.5%, though the average increase is below that percentage.

Article 6 provides for the title to this Order and for its commencement.

The Order was made on 21st December 2015 and came into force on 1st January 2016.

R&O.168/2015.

This Order removes –

- the exemption from vehicle emissions duty for motor vehicles constructed more than 25 years but less than 50 years before the date the vehicle must be registered with effect from 1st January 2016; and
- the 85% relief from vehicle emissions duty for motor vehicles that are to be used exclusively as hire cars with effect from 1st January 2017.

The Order was made on 21st December 2015 and comes into force on 1st January 2016.

R&O.169/2015.

This Order increases certain fees by 2.5%. The fees are those for – a medical certificate authorising a cremation; registration of an ancillary dental worker and an ice-cream stall licence. The fees were last increased one year ago.

The Order was made on 21st December 2015 and came into force on 1st January 2016.

R&O.170/2015.

This draft Order makes further amendments to the Mental Health (Review Tribunal) (Procedure) (Jersey) Order 1971 (“the 1971 Order”). *Article 2* inserts new definitions into the interpretation provision of the



1971 Order arising out of the substantive amendments made. *Article 3* substitutes a new Article 2 into the 1971 Order, to introduce new and simpler procedures for making an application to the Tribunal, both by a patient and by a patient's nearest relative. The new, simplified forms to be used for such applications are prescribed and the forms previously in Schedule 1 to the 1971 Order are replaced (*Article 12*). Article 3 of the 1971 Order is revoked (*Article 4*) and Articles 4 and 5 of the 1971 Order are substituted (*Article 5*), again to simplify procedures for gathering documentary evidence and the exchange of information between the Tribunal and the responsible authority. In particular the provisions of new Article 5 create safeguards as to what information about patients may be disclosed, and what may be specified as "restricted matter" which is not to be disclosed, or may only be disclosed under particular circumstances. *Article 6* amends Article 9 of the 1971 Order to give the Tribunal power to appoint a representative for a patient, where the Tribunal considers it is in the patient's best interests to do so and in particular where the patient lacks capacity to appoint a representative. *Article 7* amends Article 12 of the 1971 Order to reflect the changes previously described. *Article 8* revokes Part 4 of the 1971 Order and renumbers Parts 5 and 6 as Parts 4 and 5 respectively. *Article 9* amends the heading to what is thus Part 4, and substitutes Articles 19 to 21 of the 1971 Order. Under the new provisions introduced in those Articles, every application is to be determined at a hearing unless to do so would cause serious harm to the patient's health (and *Article 13* makes a related amendment to the evidential requirements in Schedule 2 to the 1971 Order), and the Tribunal has discretion to determine the procedures at the hearing. *Article 10* consequentially amends cross-references in Articles 23 and 24 of the 1971 Order. *Article 11* amends Article 25 of the 1971 Order, to simplify provisions relating to the statement of reasons to be given by the Tribunal for its decision, and Schedule 5 to the 1971 Order is correspondingly revoked by *Article 14*. *Article 15* provides for the citation of this Order and for its commencement on 1st March 2016.

The Order was made on 21st December 2015 and came into force on 1st January 2016.

R&O.171/2015.

This Order amends the Long-Term Care Services (Health and Social Services Charges) (Jersey) Order 2014 to increase the charges payable for the provision of long-term care services to a person aged 18 years or over. This is the first increase since the charges were set on 1st July 2014.

The Order was made on 21st December 2015 and came into force on 1st January 2016.

R&O.172/2015.

This Order increases the fees charged under 5 regimes administered by the Minister for Economic Development.

Article 1 amends the Sea Fisheries (General Fees) (Jersey) Order 2010 so as to increase fees under the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003, the Sea Fisheries (Underwater Fishing) (Jersey) Regulations 2003 and the Sea Fisheries (Fisheries) (Jersey) Regulations 2010 for the grant of fishing boat licences and sea fisheries licences including renewals and annual charges and for permits to take scallops. Those fees were last increased with effect from 1st January 2015.

Article 2 amends the Shipping (Fees) (Jersey) Order 2013 so as to increase shipping fees under the Shipping (Jersey) Law 2002 for the issue of certificates and other documents, for applications, exemptions, surveys and examinations, and for measurements relating to a ship's tonnage. The majority of those fees were last increased with effect from 1st January 2015.

Article 3 amends the Weights and Measures (Testing Fees) (Jersey) Order 2003 so as to increase the fees for testing weighing or measuring equipment under Article 12 of the Weights and Measures (Jersey) Law 1967. Those fees were last increased with effect from 1st January 2015.

Article 4 amends the Tourism (General Provisions) (Jersey) Order 1990 so as to increase the fees for registrations or renewals under Article 9(1) of the Tourism (Jersey) Law 1948. Those fees were last increased with effect from 2nd December 2014.



Article 5 amends the Places of Refreshment (Registration) (Fees) (Jersey) Order 2008 so as to increase the fee for an application for registration, or the renewal of registration, of premises as a place of refreshment under Article 4(1) of the Places of Refreshment (Jersey) Law 1967. That fee was last increased with effect from 1st January 2015.

Article 6 gives the title of this Order and states when the provisions come into force. *Article 4* comes into force 7 days after the making of this Order and the remainder of this Order comes into force on 1st January 2016.

The Order was made on 23rd December 2015 and comes into force in accordance with the provisions of Article 6.

R&O.1/2016.

This Order specifies the dates and times in 2016 when the Sorel Point loop road (as defined in Article 1(2)) may be closed by the Jersey Kart and Motor Club to public traffic and used by the club for kart races and practices for races.

The Order was made on 11th January 2016 and came into force on being made.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Health and Social Services will table an answer to the following question asked by the Connétable of St. Lawrence –

“Further to the written response in relation to this issue given by the Minister on 2nd July 2013, can he advise what the current end of life care strategy is and explain how it is communicated to the public?”

2. The Minister for Health and Social Services will table an answer to the following question asked by Deputy J.A. Hilton of St. Helier –

“Further to the presentation by his predecessor of the ‘Williamson Report - Implementation Plan - Approval and Funding’ (R.8/2009) on 4th February 2009, can the Minister inform members which, if any, of recommendations 1 to 11 and A to C have been fully implemented and, if not, can he provide the reasons behind any decisions not to implement recommendations, when those decisions were made and by whom?”

3. The Minister for Social Security will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Minister advise who is responsible for the means by which domestic care agencies tender for the delivery of care and outline what safeguards, if any, are in place to ensure that agencies do not reduce the terms and conditions for their employees in order to ensure low bids?”

In the context of ensuring that the terms and conditions for domestic agency workers meet the protective measures laid out in employment law, will the Minister –

- (a) inform members of the extent of the protection;
- (b) state the number of inspections conducted by the department’s compliance section on domestic care agencies over the past year;
- (c) agree to investigate the employment practices of agencies in cases where:
 - (i) only contact time with clients counts as time in work;
 - (ii) no payment/compensation is made for travel time or use of employee vehicle (petrol/insurance/service) costs;

and outline the extent to which these terms lead to rates of hourly pay falling below the statutory minimum.

Could the Minister also advise whether the use of zero hours contracts for such employees is considered appropriate, and, if not, state whether consideration will be given to introducing regulation to eliminate such practices?

4. The Chairman of the Comité des Connétables will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Will the Chairman advise whether Islanders will be able to register to vote online and explain why this has not yet been implemented and what actions, if any, the Comité des Connétables will be taking to ensure online registration is available before the next general election in 2018?”



5. The Chief Minister will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“What consideration, if any, has been given to issuing the population of Jersey with potassium iodide tablets in case of an emergency situation arising at the Flamanville plant in France, which could make Islanders more vulnerable to thyroid gland problems?”

6. The Chief Minister will table an answer to the following question asked by Deputy J.A. Hilton of St. Helier –

“Further to the briefing given by the Safeguarding Board in relation to its report entitled ‘Thematic Serious Case Review of Child Sexual Abuse October 2015’ which contained 31 recommendations relating to interagency work and the avoidance of repetitive single agency plans to ‘form a platform of good practice upon which further improvements can flow’, can the Minister give Members a written update on each of the 31 recommendations clearly outlining progress made and, in instances where progress has not been made, the reasons why, who was involved in the decision not to implement the recommendation and when that decision was made?”

7. The Minister for Infrastructure will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Would the Minister provide a list of the priority pedestrian crossings and bus stops to be created over the next 5 years and, in doing so, will he confirm that a pedestrian crossing at Bagatelle Road and bus stops on Bagot and Longueville Roads will be implemented within this time frame and, if not, why not?”

8. The Minister for Social Security will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Does the Minister consider that the table below illustrates the impact of her replacement of a fixed disregard with a 23 percent disregard for pension income for those newly claiming Income Support (IS) in 2016 on disposable income after housing costs for a single pensioner?”

	£	£	£	£	£
Weekly pension income	60	90	120	150	Full 200
Income Support adult and household	145	145	145	145	145
Old fixed disregard	55	55	55	55	55
Less regarded income	-5	-35	-65	-95	-145
Net disposable income	200	200	200	200	200

New 23% disregard	14	21	28	35	46
Less regarded income	-46	-69	-92	-115	-154
New disposable income	159	166	173	180	191



If so, does she accept that this change, designed to encourage workers to adopt secondary/occupational pensions, heavily penalises those dependent on a States pension and IS, taking them below the relative low income threshold of £200 and, if so, how does she justify this change?

Will she inform members what proportion of pensioners are dependent on a States pension only and how many have a second/occupational pension?

Will she further state what measures, if any, are in place/under consideration to encourage employers to set up occupational pension schemes?"

9. The Minister for Health and Social Services will table an answer to the following question asked by Deputy J.A. Hilton of St. Helier –

“Further to the publication of the Comptroller and Auditor General’s report concerning a review of Community and Social Services, can the Minister advise which, if any, of the 14 recommendations contained within the report will be implemented in full and in what timescale and, if not, why not?”

10. The Minister for Health and Social Services will table an answer to the following question asked by Deputy J.A. Hilton of St. Helier –

“How many children are currently in the care of the Children's Service?

How many children are being cared for within residential settings here and in the UK and, how many are currently in foster care?

What is the cost of placing children in residential settings in the UK?

Of the children in foster care, how many are in kinship foster care?

How many foster carers are registered with the Department and of those, how many are specialist foster carers?

How many foster placements have broken down during the past year and what were the main reasons for them doing so?

How many recruitment drives for foster carers and potential adopters have taken place during the past two years and, how many new fosters carers were recruited and lost during this period of time?

Currently what premises are being used as residential settings, how many beds do they provide and for what age group do they cater?”

11. The Minister for Social Security will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Does the Minister agree that the combined weight of evidence contained in the Income Distribution Survey (IDS) and her own departmental data seriously undermines the rationale behind her decision to stop the single parent component of Income Support (IS) over 3 years?

Does she accept that rather than waiting "to see what the impact is" more urgent action is required to prevent hardship to the households affected, such as single parent households, which have the greatest incidence of relative low income (56%), with a median income (After Housing Costs) of only £310 weekly, compared with an average across the other household groups of £600?



Given that figures from her 2014 annual report suggest that those households at most risk of relative poverty are well targeted, does she not see that the removal of over £2,000 from the 1,098 families in IS, whose average living components (less rent) is £10,792, representing 64% of total household income, and 186 of whom are totally dependent on IS, can only lead to increased hardship?

Will she agree to review this policy before the June debate of the next part of the Medium Term Financial Plan?"

12. The Chief Minister will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“In his determination to press ahead with the outsourcing or privatisation of services currently delivered by the public sector, can the Chief Minister state which services, if any, will not be considered for such action?

What specific assurances, if any, can he give to ensure that the quality of services is maintained as costs are reduced?

Will he further assure members that any such schemes to outsource/privatise will be brought to the States for approval and not pushed through via Ministerial decisions?

Will he also state what measures he will put in place to ensure that contract negotiation, employee consultation, transition processes and service level monitoring are conducted to the highest standards to prevent any repetition of UK outsourcing disasters (such as those listed below)?"

1. Employment Support Allowance (ESA) testing - private contractors Maximus paid £1.6 bn to replace Capita - result increased cost and waiting times;
2. Barnet Council - no risk assessment on private IT contractor 2E2 which went into administration;
3. Probation Service London - Private company Liberata removed 100 senior management posts from 550 jobs - result failed to deliver service;
4. Musgrove Park Hospital, Taunton terminated its contracts with Vanguard Healthcare after 30 botched cataract operations?"

13. The Minister for Health and Social Services will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“What services, if any, does the Minister have under consideration for outsourcing or privatisation under the four years of the Medium Term Financial Plan?

Has the Minister read the report of the independent think tank the Centre for Health and Public Interest published in March 2015 noting that the National Health Service was struggling to monitor and assess the safety and efficacy of services it has outsourced to private providers, and if not, will he undertake to do so?

Given that a survey of Clinical Commissioning Groups (CCGs) using freedom of information requests found that 60 percent of CCGs surveyed did not record how many site inspections they undertook, or were unable to say how many they had done and that 12% had not carried out any site inspections, what proposals, if any, does the Minister have to monitor of the safety and efficacy of any such services outsourced to private companies or agencies?"



14. The Minister for Home Affairs will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“In 2015, how many people were arrested for possession of small amounts of cannabis?

How many of these led to convictions and how many of those were sentenced to a custodial sentence?”

15. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“How much potential tax income is lost by landlords offsetting the payments of Parish Rates against rental income?

How many taxpayers currently benefit from this? Could these numbers be broken down into amounts of marginal rate taxpayers, '20 means 20' payers and High Net Worth individuals?

How many of these people benefit from this for more than one property?”

16. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Under what circumstances, if any, can a person’s High Net Worth individual status be revoked?”

17. H.M. Attorney General will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“What formula is currently used to determine how long it will take for a conviction for a drugs offence to become spent and therefore not liable to appear in a pre-employment screening?”

18. The Minister for Social Security will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Following the abolition last September of Income Support (IS) for people aged under-25 who live with their families, how many of those who were formally claiming IS have since found work and how many are no longer registered as actively seeking work, but have not registered as ‘employed’?”

19. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Further to the response given to a question without notice on 1st December 2015 (5.3.1 in Hansard) to the Minister for Education regarding the revenues likely if school fees were subject to the Goods and Services Tax, would the Minister provide details of the expected revenue figures?”



20. The Chief Minister will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Will the Chief Minister state how many Islanders are estimated to have a disability, including, but not limited to, epilepsy and blindness (partial or complete) which prevents them from being able to drive?”

21. The Minister for Infrastructure will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“What steps, if any, is the Minister taking to make cycling more convenient and safe?”

22. The Minister for Environment will table an answer to the following question asked by Deputy S.M. Wickenden of St. Helier –

“Could the Minister explain how many planning appeals for each category were received by the department in 2015 for each of the following classifications:

- Minor Planning Application;
- Major Planning Application;
- Enforcement Notice;
- Listed Buildings;
- Building Bye-Laws;
- General Planning Application?”

23. The Minister for Infrastructure will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Given the recent strike action taken by taxi drivers, can the Minister explain what further discussions have taken place with the Taxi Drivers Association, give an update on the situation and explain what and when changes to policy are to be implemented?”

24. The Minister for Housing will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister advise members for each year during the period 2010 to 2015:

- (a) how many people were on the housing waiting list in each year, breaking the figures down into:
- (i) the number of single parent families;
 - (ii) the number of couples without children;
 - (iii) the number of couples with children, identifying in addition the number of children in each family on the waiting list;
 - (iv) the number of single persons;
- (b) the number of new housing units provided by the States of Jersey and Housing Trusts each year in the period, providing a separate number for each, breaking the figures further down into single bed flats, two bedroom flats, three bedroom flats and single bedroom, two bedroom and three bedroom houses;



(c) the number of private sector housing units that have come on to the market each year during the same period using the same categories as in (b) above?"

25. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Chief Minister advise members for the year 2015:

(a) how many Chairmen of States appointed bodies are lawyers and from which law firms, identifying which bodies, and, if remunerated, the sums paid; and,

(b) how many members of States appointed bodies are lawyers and from which law firms, identifying which bodies, and, if remunerated, the sums paid?”

26. The Minister for External Relations will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“With regard to the United Kingdom’s (UK) in-out Referendum on membership of the European Union would the Minister advise members:

(a) there have been any discussions with Her Majesty’s Government as to whether Jersey residents would be entitled to vote in the Referendum, and if not, will he seek to ascertain from the UK authorities whether Jersey residents will be allowed to vote; and,

(b) in the event that Jersey residents are not allowed to take part in the Referendum, whether he would support a separate Island Referendum being held on the same question to ascertain the views of Islanders?”

27. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Following the expiration of the Council of Ministers Interim Population Policy at the end of 2015, will the Chief Minister advise members what population policy and target figure his officers are working to at the present time and will he further advise members when he will be bringing a new population policy to the States for consideration?”

28. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Further to reports that that potassium iodide tablets have been issued to those living close to Cap de la Hague, can the Chief Minister advise members:

(a) what contact, if any, he has with the French Authorities regarding safety at the nuclear site;

(b) what notification Jersey would receive (nature and timing) if there was an incident which resulted in the release of nuclear material;

(c) how the Island would deal with such an incident; and

(d) whether the Island has a stock of potassium iodide tablets?



29. The Minister for Environment will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Would the Minister advise what consideration, if any, has been given by the Department to require solar panelling to be installed as standard on any new development for (a) commercial developments (b) residential developments and (c) any other category of development?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

Questions without notice 2016

1st Session 2016

February 2nd	Infrastructure	Environment
February 23rd	External Relations	Chief Minister
March 8th	Social Security	Home Affairs
March 22nd	Treasury and Resources	Chief Minister
April 12th	Education	Health and Social Services
April 26th	Economic Development, Tourism, Sport and Culture	Chief Minister
May 10th	Housing	Infrastructure
May 24th	Environment	Chief Minister
June 14th	External Relations	Social Security
June 28th	Home Affairs	Chief Minister
July 12th	Treasury and Resources	Education

2nd Session 2016

September 13th	Health and Social Services	Chief Minister
September 27th	Economic Development, Tourism, Sport and Culture	Housing
October 11th	Infrastructure	Chief Minister
November 1st	Environment	External Relations
November 15th	Social Security	Chief Minister
November 29th	Home Affairs	Treasury and Resources
December 13th	Education	Chief Minister



Appointment of Chairman of the Environment, Housing and Technical Services Scrutiny Panel

The Presiding Officer will invite nominations for the position of Chairman of the Environment, Housing and Technical Services Scrutiny Panel. Each nomination must be seconded. If only one person is nominated, that person is appointed as chairman of the scrutiny panel. If there is more than one nomination each candidate will speak for up to 10 minutes with a 20 minute question period. The candidates will speak and be questioned in the order in which they have been nominated. Other candidates must withdraw from the Chamber during the speeches and question period.

Following the speeches and question periods an open ballot or ballots will be held until one candidate receives an overall majority of votes cast.