

THE STATES assembled on Tuesday,
4th February 1992 at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Vernon Amy Tomes, Esquire.

All Members were present with the exception of -

Leonard René Hamel, Connétable of St.
Clement - absent.
Leonard Norman, Deputy of St. Clement - out
of the Island.
Maurice Clement Buesnel, Deputy of St.
Helier - ill.
Derek Ryder Maltwood, Deputy of St. Mary -
out of the Island.
Graeme Ernest Rabet, Deputy of St. Helier -
ill.
Margaret Anne Le Geyt, Deputy of St.
Saviour - out of the Island.

Prayers

Subordinate legislation tabled

The following enactments were laid before the
States, namely -

1. Road Traffic (Saint Peter)
(Jersey) Order 1992. R & O 8331.
2. Road Traffic (Saint Brelade)
(Amendment) (Jersey) Order 1992. R & O
8332.

Establishment Committee - appointment and
resignation of members

THE STATES noted the resignation of Senator

Corrie Stein and Deputy Frank Harrison Walker of St. Helier, and appointed Deputy Shirley Margaret Baudains of St. Helier and Deputy Michael Adam Wavell of St. Saviour as members of the Establishment Committee.

Tourism Committee - appointment of members

THE STATES appointed Senator Corrie Stein and Edwin Le Gresley Godel, Connétable of St. Mary as members of the Tourism Committee.

Statement of births, marriages and deaths in 1991. R.C.3

The Etat Civil Committee by Act dated 21st January 1992 presented to the States a Statement of the number of births, marriages and deaths registered during the year 1991.

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

Administrative Decisions (Review) (Jersey) Law 1982: report for the period 1st February 1988 to 31st December 1991. R.C.4.

The Special Committee to consider the relationship between Committees and the States by Act dated 29th January 1992 presented to the States a report of the Panel of Members regarding complaints received between 1st February 1988 and 31st December 1991.

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

Matters noted - financial transactions

THE STATES noted an Act of the Finance and Economics Committee dated 27th January 1992, showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that -

- (a) the Education Committee had accepted the lowest of four tenders, namely that submitted by Charles Le Quesne (1956) Limited in the sum of £620,234 in a contract period of 38 weeks for the construction of a new nursery unit and

infants block at St. Saviour's School,
St. Saviour;

(b) the Public Health Committee had accepted the lowest of six tenders, namely that submitted by Charles Le Quesne (1956) Limited, in the revised sum of £2,180,484 for the construction of a new Central Laundry at Five Oaks, St. Saviour;

(c) the Public Health Committee had accepted the lowest of four tenders, namely that submitted by Hacquoil and Cook Limited, in the sum of £169,258 for the replacement of the existing swimming pool roof and extension to the changing rooms at St. Saviour's Hospital, St. Saviour;

(d) the Housing Committee had accepted the lowest of five tenders, namely that submitted by J.F. Marett and Son Limited, in the sum of £812,500 in a contract period of 47 weeks for the construction of eight two-bedroom flats and two three-bedroom maisonettes on the Quatre Bras Hotel site at Springfield Road, St. Helier.

Matters lodged

The following subjects were lodged ``au Greffe" -

1. Draft Social Security (Amendment No. 9) (Jersey) Law 1992 (Appointed Day) Act 199 . P.7/92.
Presented by the Social Security Committee.
2. Draft Road Traffic (No. 41) (Jersey) Regulations 199 . P.8/92.
Presented by the Defence Committee.
3. Draft Motor Traffic (No.) (Jersey) Regulations 199 . P.9/92.
Presented by the Defence Committee.
4. Draft Policing of Roads (Amendment No. 3) (Jersey) Regulations 199 . P.10/92.
Presented by the Defence Committee.

5. Territorial Army Personnel:
purchase of properties. P.11/92.
Presented by the Defence
Committee.

Draft Policing of Roads (Amendment No. 3)
(Jersey) Regulations 199 . P.157/91. Withdrawn

THE STATES noted that the President of the
Defence Committee had withdrawn the draft
Policing of Roads (Amendment No. 3) (Jersey)
Regulations 199 (lodged on 22nd October 1991)
having lodged revised draft Regulations
(P.10/92) at the present Sitting.

Golf Course, Les Creux, St. Brelade. P.101/91
Golf Course, Les Creux, St. Brelade: purchase
and lease of land. P.187/91

THE STATES acceded to the request of the
President of the Sport, Leisure and Recreation
Committee that consideration of the propositions
regarding a golf course at Les Creux, St.
Brelade, be deferred from the present Sitting to
a later date.

Draft Agricultural Land (Control of Sales and
Leases) (Amendment No. 3) (Jersey) Law 199 .
P.2/92
Projet de Loi (199) (Amendment) sur la Location
de Bien-Fonds. P.3/92

THE STATES acceded to the request of the
President of the Agriculture and Fisheries
Committee that consideration of the draft
Agricultural Land (Control of Sales and Leases)
(Amendment No. 3) (Jersey) Law 199 (lodged on
21st January 1992) and Projet de Loi (199)
(Amendement) sur la location de Bien-Fonds
(lodged on 21st January 1992) be deferred from
the present Sitting to a later date.

Arrangement of Public Business for the next
Sitting on 18th February 1992

THE STATES confirmed that the following subjects
lodged au Greffe should be considered at the
next Sitting on 18th February 1992 -

Draft Social Security (Amendment No. 9)
(Jersey) Law 1992 (Appointed Day) Act 199 .
P.7/92.

Social Security Committee.

Draft Road Traffic (No. 41) (Jersey)
Regulations 199 P.8/92.
Defence Committee.

Draft Motor Traffic (No.) (Jersey)
Regulations 199 . P.9/92.
Defence Committee.

Draft Policing of Roads (Amendment
No. 3) (Jersey) Regulations 199 . P.10/92.
Defence Committee.

Territorial Army Personnel: purchase
of properties. P.11/92.
Defence Committee.

La Caroline, La Grande Rue, St. Mary.
Question and answer (Tape No. 123)

Senator John Stephen Rothwell asked the
Connétable of St. John, President of the Island
Development Committee, the following question -

``Will the President inform the House
what decision has been made in regard to La
Caroline, La Grande Rue, St. Mary, which
was the subject of a special enquiry
chaired by Sir Martin Le Quesne, whose
report was presented to the House on 18th
June 1991?''

The President of the Island Development
Committee replied as follows -

``The Senator will be aware that, following
presentation of the Special Committee's
report on 18th June 1991, my Committee
submitted a formal written response, which
was circulated to all States Members on 4th
July 1991. In a letter accompanying that
response, I notified Members that, insofar
as site acquisition is concerned, a Royal
Court appeal was pending against the
imposition of a `personal use' condition
attached to the existing permit. The
outcome of such an appeal would obviously
affect the value of the site.

The Royal Court appeal was subsequently
held in abeyance following an enquiry by
the owner's advocates (August 1991)
regarding possible alternative uses for the
site. One question put forward on behalf of

the owners was whether permission would be allowed for demolition of all existing buildings on the site, to include the existing bungalow, and the development of one large replacement dwelling (hence extinguishing the existing use). At its meeting on 22nd August 1991 my Committee agreed to support this proposal, subject of course to detailed consideration of a formal application, which would need to go through the normal advertisement and consultation procedures. A formal application was awaited.

At the end of November the owner notified the Department that, having further examined the matter, the redevelopment of the site for one large dwelling was not a viable proposition for him, and that he would not be proceeding with such an application. The owner wishes to sell the site, but is presently fettered in selling on to another haulage company by virtue of the 'personal' condition, and the site cannot be used for any other purpose without the consent of the Island Development Committee.

On 3rd December 1991 an application was submitted on behalf of Paul Haslam Limited for use of the premises as a joinery workshop. This application was rejected by my Committee on 23rd January 1992.

In the light of recent developments, my Committee is further assessing the alternative options for this site and the Royal Court appeal regarding the personal condition is again pending."

Long Beach, La Rue à Don, Grouville. Question and answer (Tape No. 123)

Senator John Stephen Rothwell asked the Connétable of St. John, President of the Island Development Committee, the following question -

``Will the President inform the House what action the Island Development Committee has taken following the States decision on 21st January 1992 when they requested the Committee -

(a) to reconsider the recent application
`to demolish existing buildings,

construct 12 two-bedroom flats and two one-bedroom flats with parking for 31 cars' at Long Beach, La Rue à Don, Grouville;

(b) specifically to limit the height of the development to two storeys and maintain the sea view across the site; and

(c) to report thereon to the States as soon as possible?"

The President of the Island Development Committee replied as follows -

“Following the States decision on 21st January concerning the development at Long Beach, Grouville, my Department has given the matter the highest priority over all other important commitments.

A model of the site and the surrounding area has been commissioned and this will be available for Members of the House to view before the debate resumes.

All of the opinions expressed in the debate are being carefully re-examined and will be fully addressed in my Committee's report to the House.

A comprehensive list of questions on the complex legal issues of possible costs and compensation have also been put to the Attorney General and we must await his reply which will be included in our report. It is, however, already clear that my Committee has no legal power short of revocation, to insist that the owner ceases work.

We have, however, requested that he does so, and we are advised that he is carrying out the minimum amount of work required to meet his contractual commitments.

I will ensure that the States are provided with comprehensive information on all the aspects, before the debate resumes and I will do my best to bring this before the House on 18th February."

Jersey's architectural heritage. Statement

The Vice-President of the Island Development Committee made a statement in the following

terms -

``Members will recall that in the Island Plan, Policy BE5 states that `the Island Development Committee will designate and publish a list of Sites of Special Interest, covering buildings and features of architectural and historic importance'.

The Island Plan anticipated that the complete listing process would take some time, and so it has. In the intervening period the Department has operated and will continue to operate within the Planning Law to ensure that there is adequate protection for the buildings included in its Register of Buildings of Architectural and Historic Importance, the publication of which the Committee has approved.

The listing process, by a panel of local experts commissioned by the Island Development Committee, has involved a complete survey of the Island's buildings which are considered to contribute to its wealth of architectural heritage. The very best buildings have been identified as so important that formal S.S.I. designation is required, and the remainder of the valuable buildings were classified as being worthy of other various levels of protection. The owners of those buildings which will be formally registered as S.S.I.'s have already been properly informed, as required by the Law and their comments taken into account.

I am therefore pleased to be able to tell the House that we are now in a position to table these Orders before the States on a Parish-by-Parish basis, once legal work in respect of each Parish has been concluded and that the first of the Orders will be placed before the States very soon. Members should expect that this Parish-by-Parish process will take approximately one year. In the meantime Members will have received the Island Development Committee's report, `The Protection of Jersey's Heritage' together with a list of the 500 or so proposed final Sites of Special Interest.

There is, of course, still room for amendment and where, for example, the Committee is made aware of threats to a protected building it will be prepared to

`spot-list' such a building to prevent demolition or deliberate neglect.

Those buildings which have not been identified as suitable for S.S.I.'s at present, but which are identified in publications listed in the Island Plan, or are Building Frontages of Townscape Importance, will continue to be subject to strict planning control measures, as set out in the Island Plan.

The final point I wish to make concerns the statement in the Island Plan that, subject to States' approval, some financial provision will be made to help those owners who face abnormal costs and difficulty in maintaining and repairing their buildings. The States' adherence to the European Convention for Protection of the Architectural Heritage entails a further commitment to provide financial support `for maintaining and restoring the architectural heritage'.

Now is not the time to bring forward funding proposals, but if the States is to follow through its public commitment to the Plan and the European Convention, then we shall have to bring forward those proposals at some time.

As Chairman of the Jersey Building Heritage Sub-Committee, that was set up to give particular attention to our outstanding architectural heritage, I feel it is imperative that all Members of the House should have the opportunity to read and consider this report. I am now formally presenting it to you.

I hope you will read it carefully and feel able to lend your support to the Island Development Committee in its policies for the protection of Jersey's heritage."

Companies (Purchase of Own Shares) (Jersey) Regulations 1992. P.4/92

THE STATES, in pursuance of Article 59 of the Companies (Jersey) Law 1991 made Regulations entitled the Companies (Purchase of Own Shares) (Jersey) Regulations 1992.

Companies (Transitional Provisions) (Jersey)
Regulations 1992. P.5/92

THE STATES, in pursuance of Article 221 of the
Companies (Jersey) Law 1991, made Regulations
entitled the Companies (Transitional Provisions)
(Jersey) Regulations 1992.

Companies (Amendment) (Jersey) Law 1992. P.6/92

THE STATES, subject to the sanction of Her Most
Excellent Majesty in Council, adopted a Law
entitled the Companies (Amendment) (Jersey) Law
1992.

THE STATES rose at 10.35 p.m.

R.S. GRAY

Greffier of the States.