

STATES OF JERSEY ORDER PAPER

Tuesday, 19th June 2001

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Road Traffic (Saint Clement) (Amendment No. 15) (Jersey) Order
2001. R & O 95/2001.

Road Traffic (Saint Brelade) (Amendment No. 11) (Jersey) Order
2001. R & O 96/2001.

Road Traffic (Saint Helier) (Amendment No. 9) (Jersey) Order
2001. R & O 97/2001.

Public Rank Taxis (Fares and Charges) (Jersey) Order 2001. R &
O 98/2001.

Public Services Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Resignation of Deputy F.G. Voisin of St. Lawrence from the
Employment and Social Security Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information

Matters presented under Standing Order 6A(1)(a)

Population Policy: interim report. R.C.21/2001.
Policy and Resources Committee.

Hautlieu School: approval of drawings: P.83/2001.
(P.83/2001) - comments. Com.
Finance and Economics Committee.

Parish Rates Review (P.41/2001): comments. P.41/2001.
Finance and Economics Committee. Com.(2).

Matters presented under Standing Order 6A(1)(b)

(b) Notification of Standing Order decisions

4th and 11th June 2001

Decisions under delegated functions.
Finance and Economics Committee.

(c) Notification of acceptance of tenders

(d) Papers to be lodged "au Greffe" under Standing Order 17A(1)(a)

Draft Powers of Arrest (Injunctions) (Amendment) P.88/2001.
(Jersey) Law 200-.

Legislation Committee.

(e) **Notification of Papers lodged “au Greffe” under Standing Order 17A(1)(b)**

(f) **Papers for consideration by the States in Committee under Standing Order 38A**

E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING

THE STATES are asked to agree that the following matters be set down for consideration at the next meeting on 3rd July 2001 -

Appointments made by the States: review of procedures. P.85/2001.
Lodged: 5th June 2001
Deputy R. G. Le Hérissier of St. Saviour.

Field 1418, St. Saviour, Trinity: development in the Green Zone. P.86/2001.
Lodged: 5th June 2001.
Planning and Environment Committee.

Draft Powers of Arrest (Injunctions) (Amendment) (Jersey) Law 200-. P.88/2001.
Lodged: 19th June 2001.
Legislation Committee.

In accordance with Standing Order 17(6) the following Papers are deemed to be withdrawn -

Population policy. P.175/99.
Lodged: 26th October 1999.
Policy and Resources Committee.

Les Ormes Farm, Field 773, La Route de la Blanche Pierre, St. Lawrence: development in the Green Zone. P.82/2000.
Lodged: 6th June 2000. (*Consideration deferred on 20th June 2000*)
Planning and Environment Committee.

THE STATES are asked to note that the Connétable of St. Peter will seek leave to withdraw his proposition regarding the Equalisation of Welfare (P.164/2000), lodged ‘au Greffe’ on 26th September 2001.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

Deputy A.S. Crowcroft of St. Helier will ask a question of the President of the Housing Committee regarding the assessment of business losses suffered by the owners of La Sirène Guest House.

Deputy A.S. Crowcroft of St. Helier will ask a question of the President of the Employment and Social Security Committee regarding the delay in compiling a health and safety report relating to damage caused to a gable wall.

Deputy A.S. Crowcroft of St. Helier will ask questions of the President of the Agriculture and Fisheries Committee regarding the Genetically Modified Organisms (GMOs).

Deputy A.S. Crowcroft of St. Helier will ask questions of the President of the Home Affairs Committee regarding work permits for persons domiciled outside the European Union.

The Deputy of St. John will ask questions of the President of the Home Affairs Committee regarding the policing of demonstrations.

Deputy L.J. Farnham of St. Saviour will ask a question of the Home Affairs Committee regarding the number of road traffic accidents caused by excessive speed.

Deputy L.J. Farnham of St. Saviour will ask a question of the Public Services Committee regarding outstanding applications for speed limits.

Deputy R.G. Le Hérisier of St. Saviour will ask questions of the President of the Employment and Social Security Committee regarding the outsourcing of services, and regarding the administration of the scheme to provide financial assistance to persons aged over 65 years.

Senator C.G.P. Lakeman will ask a question of the President of the Telecommunications Board regarding the re-branding of Jersey Telecoms.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

The President of the Finance and Economics Committee will make a statement regarding a previous statement concerning a member's interests in a subsidiary of the Jersey Electricity Company Limited.

The President of the Housing Committee will make a statement regarding the recent establishment of a First Time Buyers' List.

The President of the Home Affairs Committee will make a statement regarding the recent demonstration by the ATTAC group.

K. PUBLIC BUSINESS

Manual Workers' Joint Council: membership.
Human Resources Committee.
(Attached.)

Parish Rates Review. P.41/2001.
Lodged: 13th March 2001.
Legislation Committee.

Parish Rates Review (P.41/2001): comments. P.41/2001.
Presented: 10th April 2001. Com.
Human Resources Committee.

Parish Rates Review (P.41/2001): comments. P.41/2001.
Finance and Economics Committee. Com.(2).

Committee of Inquiry: procedures for recruitment of Honorary Police Officers. P.67/2001.
Lodged: 24th April 2001.
Deputy R.G. Le Hérissier of St. Saviour.

<p>Committee of Inquiry: procedures for recruitment of Honorary Police Officers (P.67/2001) - comments. Presented: 22nd May 2001. <i>Finance and Economics Committee.</i></p>	<p>P.67/2001. Com.</p>
<p>Committee of Inquiry: procedures for recruitment of Honorary Police Officers (P.67/2001) - report. Presented: 29th May 2001. <i>Home Affairs Committee.</i></p>	<p>P.67/2001. Rpt.</p>
<p>States members income support and expense allowance: annual increases. Lodged: 8th May 2001. <i>House Committee.</i></p>	<p>P.74/2001</p>
<p>Draft Costs in Criminal Cases (Witnesses' Allowances) (Jersey) Regulations 200-. Lodged: 22nd May 2001. <i>Finance and Economics Committee.</i></p>	<p>P.78/2001.</p>
<p>Fields 960, 961, 962 and 967A, St. Mary: rezoning for extension of La Gigoulande Quarry. Lodged: 22nd May 2001. <i>Planning and Environment Committee.</i></p>	<p>P.79/2001.</p>
<p>Hautlieu School: approval of drawings. Lodged: 29th May 2001. <i>Education Committee.</i></p>	<p>P.83/2001.</p>
<p>Hautlieu School: approval of drawings: (P.83/2001) - comments. <i>Finance and Economics Committee.</i></p>	<p>P.83/2001. Com.</p>
<p>Draft Companies (Amendment No. 6) (Jersey) Law 200-. Lodged: 29th May 2001. <i>Finance and Economics Committee.</i></p>	<p>P.84/2001. (re-issue)</p>

States Auditors - further extension of contract. P.77/2001.
Lodged: 15th May 2001.
Finance and Economics Committee.
(Consideration in camera)

Jersey Financial Services Commission: P.81/2001.
appointment of Commissioner.
Lodged: 22nd May 2001.
Finance and Economics Committee.
(Consideration in camera)

C.M. NEWCOMBE

Greffier of the States

14th June 2001

**Explanatory Note regarding subordinate legislation
tabled at this Meeting.**

(See Item B)

R & O 95/2001

The effect of this Order is to prohibit vehicles from waiting on the north side of La Grande Route de St. Clement east of its junction with La Rue Laurens for a distance of 27 yards.

The Order was made by the Public Services Committee on 11th June 2001 and comes into force on 26th June 2001.

R & O 96/2001

The effect of this Order is as follows -

- (a) it extends the existing prohibition against waiting in vehicles on either side of La Route des Genets east to its junction with Park Estate,
- (b) it prohibits waiting in vehicles on the west side of the estate road at Les Quennevais Park between Nos. 126 and 131 Les Quennevais Park, and
- (c) it prohibits waiting in vehicles on the east side of the estate road at Les Quennevais Park between Nos. 61 and 88 Les Quennevais Park.

The Order was made by the Public Services Committee on 11th June 2001 and comes into force on 26th June 2001.

R & O 97/2001

The purpose of this Order is to vary the provisions with respect to one-way traffic routes, the prohibition of waiting, the restriction on use by wide vehicles, time limits for parking on certain roads and the parking of motor cycles and mopeds in the Parish of St. Helier.

The Order was made on 11th June 2001 and comes into force on 25th June 2001.

R & O 98/2001.

This Order increases the fares for hiring public rank taxis. The last increase took effect on 3rd July 2000. The new rates are set out in the Order.

They reflect an average increase of four per cent on current tariffs for times other than Christmas and New Year. For those two periods, the Order introduces a new tariff.

The Order was made on 11th June 2001 and comes into force on 2nd July 2001.

**NOTIFICATION OF STANDING ORDER DECISIONS -
FINANCE AND ECONOMICS COMMITTEE
(delegated functions)**

4th June 2001

- (a) as recommended by the Tourism Committee, the renewal of the ground lease to Mrs. Gillian Geraldine Hidrio, née Carré, for the property known as Colleen's Café, Grève de Lecq, St. Ouen, for a period of three years from 25th December 2000 at a commencing annual rent of £4,000, to be increased to £5,000 on 25th December 2001 and to £5,500 on 25th December 2002, with all other terms and conditions remaining the same as the existing lease, with each party being responsible for its own legal costs arising from this transaction;
- (b) as recommended by the Agriculture and Fisheries Committee, the lease to the Jersey Electricity Company Limited of the site of electricity sub-station No. 486, Abattoir Site, St. Helier, for a period of 99 years at an annual rent of £1 payable as a lump sum upon passing contract, and the grant to the company, free of charge, of wayleave rights in association with the sub-station, on the basis that the company would be responsible for both parties' reasonable legal costs arising from this transaction;
- (c) as recommended by the Agriculture and Fisheries Committee, the renewal of the lease from the National Trust for Jersey of Fields Nos. 810, 811, 812 and 813, The Elms, St. Mary, for a period of five years from 26th December 2000 at an initial annual rent of £4,500, subject to a rent review to open market rental value on 20th December 2003, with all other terms and conditions remaining the same as the existing lease, with each party being responsible for its own legal costs arising from this transaction;
- (d) as recommended by the Public Services Committee, the purchase from FBF Developments Limited of 789 square feet of land to the north of the junction at Castle Street and Commercial Street, St. Helier (as shown on Drawing No. 856/035), required for road widening purposes, for a consideration of £10, with the public being responsible for both parties' reasonable legal costs arising from this transaction;
- (e) as recommended by the Education Committee, the lease to the Jersey Electricity Company Limited of Electricity Sub-station No. 335 and the Ring Main Unit (RMU) as shown on the Company's drawing No. 44H24A as amended on 2nd October 2000, for a period of 99 years at an annual rent of £1 payable in a lump sum upon the passing of the contract, together with the grant of standard Wayleave rights, free of charge, to the Company with regard to Sub-station No. 335 and the RMU kiosk as shown on Wayleave Plan No. 25K (reference P1573/1455) dated 3rd October 2000;

11th June 2001

- (f) as recommended by the Public Services Committee, the entering into of a Deed of Arrangement with Miss Frances Mary Barrington Jupp and Mrs. Elizabeth Barrington Reid, née Jupp, the joint owners of Old Station House, La Rue à Don, Grouville,

in order to define the boundary between that property and the road and footway known as La Rue a Don, Grouville, as detailed on Drawing No. 15/543/3, with both parties being responsible for their own legal costs;

- (g) as recommended by the Tourism Committee, the renewal of the lease to Mr. Richard Brian Ropert and Mrs. Harriet Jane Ropert, née Fane, of the Gunsite Café, Beaumont, St. Peter, for a period of three years deemed to have commenced on 25th December 2000, at a commencing annual rent of £7,000, to be followed by an increase to £8,000 on 25th December 2001 and £9,000 on 25th December 2002, on the basis that terms and conditions had been agreed between Mr. and Mrs. Ropert and Mr. David Patrick and Mrs. Jane Cullen, née de la Haye, in relation to the assignment of the lease which was deemed to have taken place on 11th March 2001;
- (h) as recommended by the Tourism Committee, the renewal of the lease to Mr. Peter Gibbins and Mrs. Ann Huelin, née Gibbins, of Le Braye Café and land, Le Braye Slipway, St. Brelade, for a period of three years deemed to have commenced on 25th March 2000, at a commencing annual rent of £16,250, to be reviewed annually in line with the Jersey Retail Price Index.

QUESTION PAPER

(See Item G)

Deputy A.S. Crowcroft of St. Helier will ask the following question of the President of the Housing Committee -

“On 8th June 2001 the Chief Executive Officer of the Housing Department wrote to all States’ members informing them of the Housing Committee’s progress in respect of the action it was charged to carry out following the approval of P.155/99 on 7th December 1999, namely the authorisation of the assessment by an independent firm of auditors of the business losses suffered by the proprietors of La Sirene Guest House, St Helier, prior to 16th February 1999, as a result of the redevelopment of the adjoining property, Kent Lodge. In his letter the outcome of the investigation is revealed, and the Committee indicates that it proposes to make a further ex gratia payment to the proprietors of the guest house.

- (a) Would the President explain why his Committee proposes to make this payment ‘in full and final settlement of all and any claims against the States, any Committee of the States and any department of the States arising out of the redevelopment of the Kent Lodge site’?
- (b) Does the President not consider that his Committee’s attempt to prevent the proprietors of the guest house from attempting to obtain a fair and public hearing in the pursuit of their grievances against other States’ departments may represent an infringement of their Human Rights?”

Deputy A.S. Crowcroft of St. Helier will ask the following question of the President of the Employment and Social Security Committee -

“On 15th May 2001 I sought information from the President concerning the steps taken by his Committee under the Health and Safety at Work (Jersey) Law 1989, to ensure safety of property owners and construction workers during building works. Although I was careful not to name a specific instance of building works leading to damage to a property, the President inferred from a supplementary question I asked that I was referring to a particular property whose gable wall was undermined by a States’ sponsored housing scheme in February 1999, and he went on to state that ‘action was taken and is still ongoing in respect of that particular instance’.

Would the President explain how it is possible, more than two years after the event, for his Department to be still investigating the damage caused to a privately-owned property as a result of a States’ sponsored development, and would he indicate whether it is usual for there to be such delays in the compiling of reports under the Health and Safety at Work (Jersey) Law 1989?”

Deputy A.S. Crowcroft of St. Helier will ask the following questions of the President of the Agriculture and Fisheries Committee -

- “1. On 28th September 1999 in adopting P.33/99, Genetically Modified Organisms (GMOs), the States requested the Agriculture and Fisheries Committee ‘to take all possible steps to designate and maintain the Island of Jersey as free from the growing of GMOs’. Would the President explain

what steps have been taken by the Committee to comply with this States' decision?

2. In adopting P.33/99, the States further agreed that the Committee be requested to suspend the programme of scientific research into eelworm-resistant strains of the Jersey Royal. Would the President state when the research programme ceased, and explain what was done with the constructs, or prototypes of GM Jersey Royal plants which were seen growing in the glasshouses of IACR Rothamstead by the delegation of States' members which visited the Research Station earlier that year?
3. On 11th May 2001, the Jersey Evening Post published an article which revealed that the Jersey Royal potato has been genetically fingerprinted in order to protect its provenance and its unique status. Given that this work has been carried out by the same organisation that was undertaking research into a genetically modified Jersey Royal potato, what assurance can the President give the States that no further work is being carried out on the development of a GM Jersey Royal?
4. Would the President state what is the total amount of the invoices from IACR Rothamstead to his Committee since the suspension of work on the GM Jersey Royal?"

Deputy A.S. Crowcroft of St. Helier will ask the following question of the President of the Home Affairs Committee -

- “1. Would the President outline his Committee's policy in respect of the provision of work permits for the employment in Jersey of persons domiciled outside the European Union, and the relevant procedures that have been put in place by the Immigration and Nationality Department?
2. Would the President explain what criteria are used by the Immigration and Nationality Department in determining applications for such work permits, and would he confirm that any application for Polish staff, for example, will be dealt with according to its merits, and that it is not necessary for a local employer to recruit through any particular organization?
3. Would the President reveal the contents of the Letter of Intent which has been sent by his Committee to the National Labour Office in Poland?"

The Deputy of St. John will ask the following questions of the President of the Home Affairs Committee -

- “1. With the ATTAC demonstration having passed peacefully, would the President explain why the Island has an agreement with police forces in the South West of England to assist our local police force when called upon? Why was it found necessary to bring members of a Scottish force to the Island to assist?
2. Would the President inform members of the cost of this operation to the tax payers of the Island, broken down in several parts, cost in overtime of the local force and the full

cost of bringing officers from Scotland with their equipment to assist our local force?

3. Where were the visiting officers and men billeted on their stay in the Island?"

Deputy L.J. Farnham of St. Saviour will ask the following question of the President of the Home Affairs Committee -

"In the States of Jersey Police Annual Report 2000, we are advised that a new database was introduced 'to develop a comprehensive overview of 'where', 'when' and 'why' reportable road traffic accidents are occurring in Jersey. Some of the results reinforce familiar messages with speed topping the table of contributory causes every month last year and being by far the biggest cause of injury accidents.'

Would the President inform members -

- (a) how many accidents were caused in 2000 wholly or in part due to excessive speed?
- (b) would he express this as a percentage of all motor traffic accidents?"

Deputy L.J. Farnham will ask the following question of the President of the Public Services Committee -

"Would the President inform members -

- (a) how many applications for reduction of speed limits are outstanding pending the outcome of the Island's overall speed limits policy?
- (b) when the Committee plans to deal with this policy?"

Deputy R.G. Le Herissier of St. Saviour will ask the following questions of the President of the Employment and Social Security Committee -

- "1. Would the President advise the States how many services or activities of the Employment and Social Security Department for which the Committee is responsible are outsourced, the total cost of such outsourcing and the number of staff which would be required by the Department to perform these services or activities in-house?
2. With regard to the decision of the States on 24th April 2001 to charge the Employment and Social Security Committee with the responsibility of administering for a trial period of one year a scheme providing financial assistance to certain persons over the age of 65 years towards the cost of dental and eye care, would the President advise members -
 - (a) whether or not the Department has appointed or intends to appoint any staff in support of this scheme on a temporary basis or otherwise, and, if so, the number and cost of such staff?
 - (b) whether it has been decided to outsource the administration of any part of the scheme and to whom and for what period and the terms and conditions

proposed?

- (c) the grounds on which, as it is understood that the Committee has declined the offer of the Connétables to assist with the administration, the Committee declined the offer?
- (d) whether or not, having regard to the Committee's previously declared preference for Westfield Health Scheme, it initially invited competitive offers from more than one company and, if not, why not?
- (e) whether or not Westfield Health Scheme is likely to be prepared to undertake the management of the scheme for a single year and, if so, how will the terms and conditions of the scheme differ from the original proposal which was for a period of two years?"
- (f) what is the likely date that the scheme will commence?"

Senator C.G.P. Lakeman will ask the following question of the President of the Telecommunications Board -

“Would the President advise members -

- (a) when the decision to re-brand Jersey Telecoms was taken, and why?
- (b) the cost of re-branding?
- (c) the cost of the insert in the Jersey Evening Post on 7th June, 2001, and would he also provide details of the printing and distribution costs?"

PROPOSITION

MANUAL WORKERS' JOINT COUNCIL: MEMBERSHIP

THE STATES are asked to decide whether they are of opinion -

to refer to their Act dated 9th November 1961, concerning the membership of the Manual Workers' Joint Council, and their Act dated 16th January 2001, in which they approved the Employers' Side for 2001, and to appoint Deputy Shirley Margaret Baudains of St. Helier as a member with immediate effect, in place of Deputy Robin Charles Hacquoil of St. Peter.

HUMAN RESOURCES COMMITTEE

Report

The Employers' Side membership comprises six representatives of the States, one representative of the Parish of St. Helier and one representative of the Connétables. The Chief Executive of the States Human Resources Department traditionally fulfils the role of Employers' Side Secretary, and the Director of Employee Relations from the Department becomes the Assistant Employers' Side Secretary.

Following the resignation of Deputy R.C. Hacquoil from the Human Resources Committee on 29th May 2001, and the election of Deputy S.M. Baudains to the Committee on 6th June 2001, it is proposed that Deputy Baudains fills the vacancy left by Deputy Hacquoil as a member of the Manual Workers' Joint Council: Employers' Side, with immediate effect.

There are no additional financial or manpower implications for the States.