



**THE STATES assembled on Tuesday,  
8th September 1998 at 9.30 a.m. under  
the Presidency of Senator Richard Joseph  
Shenton, O.B.E.**

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All members were present with the exception of –

Shirley Margaret Baudains, Deputy of St. Helier– out of the Island  
Ronald Winter Blampied, Deputy of St. Helier– out of the Island

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Prayers

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**Subordinate legislation tabled**

The following enactment was laid before the States, namely –

**Road Racing (Motor Vehicle Rally) (Jersey) Order 1998 – R & O 9285.**

**Tourism Committee – appointment of member**

The States appointed John Baudains Germain, Connétable of St. Martin, as a member of the Tourism Committee.

**Matters lodged**

The following matters were lodged “au Greffe” –

**La Fontaine Hotel, La Route de Beaumont, St. Peter: development in Aircraft Noise Zone 1– P.187/98.**  
Presented by the Planning and Environment Committee.

**Haut de la Garenne, St. Martin: conversion and redevelopment– P.188/98.**  
Presented by the Planning and Environment Committee.

**Human Rights legislation – P.189/98.**  
Presented by the Policy and Resources Committee.

**Haut de la Garenne, St. Martin: conversion and redevelopment– P.64/97. Withdrawn**

THE STATES gave leave to the President of the Planning and Environment Committee to withdraw the proposition regarding Haut de la Garenne, St. Martin (P.64/97– lodged “au Greffe” on 22nd April 1997) having lodged a revised proposition at the present meeting (P.188/98).

**Arrangement of public business for the next meeting on 22nd September 1998**

THE STATES confirmed that the following matters lodged “au Greffe” would be considered at the next meeting on 22nd September 1998 –

Draft Hire Cars (Amendment No. 8) (Jersey) Regulations 199 – P.139/98.  
Lodged: 16th June 1998.  
*Defence Committee.*

Draft Public Service Vehicles (Fees) (Amendment No. 9) (Jersey) Regulations 1998– P.140/98.  
Lodged: 16th June 1998.  
*Defence Committee.*

Draft Dangerous Wild Animals (Jersey) Law 199 – P.154/98.  
Lodged: 30th June 1998.  
*Agriculture and Fisheries Committee.*

Draft Dangerous Wild Animals (Jersey) Law 199 (P.154/98): amendments – P.183/98.  
Lodged: 18th August 1998.  
*Agriculture and Fisheries Committee.*

Draft Police (Complaints and Discipline) (Jersey) Law 199 – P.162/98.  
Lodged: 14th July 1998.  
*Defence Committee.*

Draft Police (Complaints and Discipline) (Jersey) Law 199 (P.162/98): amendments– P.184/98.  
Lodged: 1st September 1998.  
*Deputy F.J. Hill of St. Martin.*

Draft Road Traffic (Amendment No. 49) (Jersey) Regulations 199 – P.169/98.  
Lodged: 28th July 1998.  
*Public Services Committee.*

Residential registration scheme – P.179/98.  
Lodged: 11th August 1998.  
*Deputy A. Breckon of St. Saviour.*

Draft Licensing (Licence Fees) (Jersey) Regulations 199 – P.180/98.  
Lodged: 18th August 1998.  
*Tourism Committee.*

Elizabeth Harbour, St. Helier: lease of accommodation to Channel Express (C.I.) Limited– P.181/98.  
Lodged: 18th August 1998.  
*Harbours and Airport Committee.*

British-Irish Council – P.185/98.  
Lodged: 1st September 1998.  
*Policy and Resources Committee.*

Human Rights legislation – P.189/98.  
*Policy and Resources Committee.*

### **Island site, St. Helier– statement**

Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, made a statement in the

following terms –

“At the meeting of all States members at the Pomme d’Or Hotel on 21st January 1998, the Planning and Environment Committee presented its planning brief for the development of the Island site. Since then the Committee has been attempting to achieve agreement on a positive solution to the long-standing neglect of these buildings to enable their redevelopment. The Committee believes it right that States members should be the first to know the Committee’s intentions.

The Committee’s actions follow the existing States decisions which have guided it in this matter. The States decided on 23rd January 1990 (and I quote) *‘to approve the conservation of the granite buildings on the Weighbridge island site by designating them as a Site of Special Interest under Article 9A of the Island Planning Law 1964 as amended.’* On 11th November 1992 the States also approved Map 392, as the Development Plan for the St. Helier Waterfront Area, which revised the Island Plan map approved by the States in 1987 *and confirmed the SSI status of the Island site.* On 12th December 1995 the States decided to ask the Planning and Environment Committee (and I quote) *‘... to bring to the States for approval, as soon as possible, specific proposals for ... the transfer of the bus station to the ‘Island’ site, the development of the remainder of the ‘Island’ site ...’.*

Members will be aware that the Committee (and the previous Planning Committee) and the Waterfront Enterprise Board have a fundamental difference of opinion over the brief for the sites redevelopment, one which we have together exhaustively sought to resolve.

The Committee has consulted with the Policy and Resources Committee (which has the responsibility for the Waterfront Enterprise Board) on how best to resolve this important matter of principle once and for all. In doing so the Committee is acutely aware that it is the only body that has a statutory duty for planning all land use in the Island. Following the Policy and Resources Committee’s request to the Planning and Environment Committee to test the market viability of the planning brief, an exercise which was successful, we were still left with disagreement over how to proceed. The essential point of difference was the Site of Special Interest designation.

The President of the Policy and Resources Committee and I took the advice of the Bailiff. We decided that the Planning Committee should carry out the statutory procedure to designate the Weighbridge island site as a Site of Special Interest (SSI), thereby fulfilling the decision of the States in 1990. It appears that successive Planning Committees considered it to be unnecessary because as a States owned site it was unlikely that the States’ decision would be challenged.

Last week the Planning and Environment Committee approved the notices of intention to designate the site as an SSI, for service by the end of this week, on those persons having a statutory right to submit representations to the Committee within 28 days of the notice. The Committee will also invite the Waterfront Enterprise Board and the Jersey Motor Transport Company Limited to submit representations, as it considers these two bodies have sufficient interest to require it. The Committee will also consider receiving representations from other persons and bodies who are able to demonstrate to the Committee that they have a significant interest in the future of the site. All representations will have to be submitted within 28 days of the notices and will be required to be in writing. The Committee has arranged for copies of the notices of intention to be available for public inspection at the Planning Department.

Given that this is an exceptional case, such representations received will be considered at a special Committee meeting, which will be open to the public. Arrangements are being made to hold this meeting, if it is required, on 4th and 6th November. At the conclusion of this meeting the Committee will decide whether to make the formal Order designating the site as a Site of Special Interest (SSI).

In conclusion, the Committee believes the chosen procedure will achieve a fair and objective decision, and

properly respects the roles of all parties. The detailed procedure I have announced will be completed by the end of November 1998, by which date the Committee will inform States members of its decision.”

**Administrative Decisions (Review) (Jersey) Law 1982, as amended: Administrative Appeals Panel – membership**

THE STATES, adopting a proposition of the Special Committee to consider the relationship between the Committees and the States, referred to their Act, dated 19th November 1996, in which they appointed the Chairman, Deputy Chairmen and members of the Administrative Appeals Panel for an initial period of three years commencing 1st January 1997, and approved the appointment of Mrs. Lorna Jean King, M.B.E. as a member of the Panel in place of Mrs. Sally Carolyn Ann Le Brocq until 31st December 1999.

**Manual Workers Joint Council Employers’ Side representative**

THE STATES, adopting a proposition of the Establishment Committee and in accordance with their Act dated 9th November 1961, approving the constitution of a Manual Workers’ Joint Council, approved the appointment of Mr. Philip Roy Cabot, Connétable of Trinity, as a representative of the States of Jersey on the Employers’ Side of the Council.

**Kent Lodge, 21 Clarendon Road, St. Helier: sale– P.173/98**

THE STATES, adopting a proposition of the Housing Committee –

1. approved the sale of the freehold of Kent Lodge, 21 Clarendon Road, St. Helier, to the Jersey Home Trust for redevelopment as social rented housing, for a consideration to be agreed with the Finance and Economics Committee;
2. authorised the Attorney General and Greffier of the States to pass the necessary contracts;
3. authorised the Treasurer of the States to receive the amount connected with the above transaction in due course.

Members present voted as follows –

**“Pour” (37)**

**Senators**

Horsfall, Rothwell, Le Maistre, Stein, Quérée, Bailhache, Norman, Kinnard.

**Connétables**

St. Clement, St. Lawrence, St. Mary, St. Peter, Grouville, St. Helier, St. Martin, St. Ouen, Tri  
St. Saviour.

**Deputies**

Wavell(S), H. Baudains(C), Le Sueur(H), Coutanche(L), Le Geyt(S), Trinity, Johns(H), Dorey(H), Layze (B), Huet(H), St. John, Le Main(H), Blampied(H), Rabet(H), de la Haye(B), Le Cornu(C), St. Pe Dubras(L), St. Ouen.

**“Contre” (13)**

**Senators**

Syvret, Walker.

## **Connétables**

St. Brelade, St. John.

## **Deputies**

St. Mary, Pullin(S), Duhamel(S), Routier(H), Breckon(S), Grouville, St. Martin, Crowcroft(H), Vibert(B).

## **Committees of the States: reorganisation – P.151/98 (Revised)**

THE STATES commenced consideration of a proposition of the Policy and Resources Committee regarding the reorganisation of the Committees of the States.

Sub-paragraph (a) “to develop further the work so far undertaken on the formation, organization and responsibilities of a Finance and Manpower Committee” was rejected.

THE STATES, adopting sub-paragraph (b), referred to their Act dated 11th September 1996, which charged the Policy and Resources Committee to investigate issues regarding the reorganisation of States Committees; to receive the progress report dated 23rd June 1998 of that Committee; and charged the Policy and Resources Committee –

- (b) to develop further the work so far undertaken on the formation, organisation and responsibilities of a Home Affairs Committee.

Members present voted as follows –

**“Pour” (29)**

## **Senators**

Horsfall, Rothwell, Stein, Norman, Kinnard.

## **Connétables**

St. Clement, St. Lawrence, St. Brelade, St. Helier.

## **Deputies**

Wavell(S), Le Sueur(H), St. Mary, Le Geyt(S), Trinity, Pullin(S), Johns(H), Duhamel(S), Layzell(B), Breckon(S), Grouville, Huet(H), St. Martin, Le Main(H), Crowcroft(H), Vibert(B), de la Haye(B), St. Peter, Dubras(L), St. Ouen.

**“Contre” (16)**

## **Senators**

Le Maistre, Bailhache, Syvret.

## **Connétables**

St. Mary, St. Peter, St. Ouen, St. John, Trinity, St. Saviour.

## **Deputies**

H. Baudains(C), Coutanche(L), Routier(H), Dorey(H), St. John, Rabet(H), Le Cornu(C).

Consideration of sub-paragraph (c) was deferred to a later date.

### **Hospital Charges (Long-Stay Patients) (Jersey) Law 199 – P.116/98**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Hospital Charges (Long-Stay Patients) (Jersey) Law 199 .

### **Archirondel, St. Martin: transfer of administration of land– P.133/98**

THE STATES, adopting a proposition of the Housing Committee, approved the transfer of administration from the Housing Committee to the Planning and Environment Committee of an area of land measuring 10,200 square feet at Archirondel, La Route de la Cote, St. Martin, as shown hatched on drawing No. SCL-1-187 5/10/95.

Members present voted as follows –

#### **“Pour” (36)**

##### **Senators**

Horsfall, Le Maistre, Stein, Bailhache, Syvret, Norman, Kinnard.

##### **Connétables**

St. Clément, St. Lawrence, St. Mary, St. Brelade, St. Helier, St. John, St. Saviour.

##### **Deputies**

H. Baudains(C), St. Mary, Le Geyt(S), Trinity, Pullin(S), Johns(H), Duhamel(S), Routier(H), Dorey(H), Layzell(B), Breckon(S), Grouville, Huet(H), St. Martin, Le Main(H), Rabet(H), Vibert(B), de la Haye(B), Le Cornu(C), St. Peter, Dubras(L), St. Ouen.

#### **“Contre” (1)**

##### **Deputy**

St. John.

### **Training and development of public sector employees – P.132/98**

THE STATES, adopting a proposition of the Establishment Committee, endorsed the strategy being pursued by the Establishment Committee in connection with the training and development of public sector employees as set out in the Committee’s report dated 2nd February 1998.

### **Criminal Justice (Standard Scale of Fines) (Amendment) (Jersey) Law 199 – P.160/98**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Criminal Justice (Standard Scale of Fines) (Amendment) (Jersey) Law 199 .

### **Parish Rate (Jersey) Law 199 – P.170/98**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Parish Rate (Jersey) Law 199 .

### **Public Holidays and Bank Holidays (Jersey) Act 1998 – P.175/98**

THE STATES, in pursuance of Article 2 of the Public Holidays and Bank Holidays (Jersey) Law 1951, as amended, made an Act entitled the Public Holidays and Bank Holidays (Jersey) Act 1998.

### **Adjournment**

THE STATES then adjourned, having agreed to defer consideration of the Draft Maintenance Orders (Enforcement) (Jersey) Law 199 (P.176/98– lodged “au Greffe” on 11th August 1998) until 22nd September 1998 and having agreed to defer the following to a later date –

Provision of school milk: funding – P.128/98.

Lodged: 2nd June 1998

*Senator J.S. Rothwell.*

Provision of school milk: funding (P.128/98): report – P.186/98.

Presented: 1st September 1998.

*Finance and Economics Committee.*

St. Helier Waterfront area: acquisition of possible interest– P.172/98.

Lodged: 28th July 1998.

*Policy and Resources Committee.*

THE STATES rose at 5.45 p.m.

**G.H.C. COPPOCK**

*Greffier of the States.*