



**THE STATES assembled on Tuesday,
2nd June, 1987 at 10.15 a.m. under
the Presidency of the Deputy Bailiff,
Vernon Amy Tomes, Esquire.**

All members were present with the exception of –

Senator Anne Baal – out of the Island.

Margaret Sylvia Rose Beadle, Deputy of St. Brelade – ill.

Prayers

Subordinate legislation tabled

The following enactments were laid before the States, namely –

1. **Traffic Signs (Amendment No. 12) (Jersey) Order, 1987. R & O 7631.**
2. **Road Traffic (Saint Saviour) (Amendment) (Jersey) Order, 1987. R & O 7632.**
3. **Telecommunications (Telegrams) (Amendment No. 4) (Jersey) Order, 1987. R & O 7633.**
4. **Post Office (Postal Orders) (Amendment No. 10) (Jersey) Order, 1987. R & O 7634.**
5. **Road Racing (Motor Vehicle Sprints) (Amendment) (Jersey) Order, 1987. R & O 7635.**
6. **French Market (Jersey) Order, 1987. R & O 7636.**

Victoria College/Jersey College for Girls: building development (P.79/87) – comments. P.95/87.

The Finance and Economics Committee by Act dated 22nd May, 1987, presented to the States its comments on the proposed building development of Victoria College and the Jersey College for Girls.

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

Hospital Services: development policies (P.76/87) – comments. P.96/87.

The Finance and Economics Committee by Act dated 22nd May, 1987, presented to the States its comments on the development policies of the Hospital Services.

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

Hospital Services: development policies (P.76/87) – comments. P.98/87.

The Establishment Committee by Act dated 27th May, 1987, presented to the States its comments on the development policies of the Hospital Services.

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

Airport capital requests for 1988: comments. P.100/87.

The Establishment Committee by Act dated 27th May, 1987, presented to the States its comments on the Airport capital requests for 1988.

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

Matters noted – land transactions.

THE STATES noted Acts of the Finance and Economics Committee dated 12th and 26th May, 1987, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Harbours and Airport Committee, the lease to the States' Airport Social Club of an area of land at Jersey Airport, for a period of nine years, with effect from 1st June, 1987, at an annual rent of £200, with rent reviews every three years;
- (b) as recommended by the Education Committee, the sale to The Jersey Electricity Company Limited of the site of electricity sub-station No. 20, F.B. Fields, St. Clement, when the current lease expired in 1989, for a consideration of £10, with each party being responsible for the payment of its own legal fees;
- (c) as recommended by the Public Health Committee, the lease to Mr. Derrick Gordon Le Cornu of Fields 37, 38 and 54, St. Saviour, at an annual rent of £750, representing a rate of £50 per vergée, and the lease to Mr. Le Cornu of Field 34, Grouville, at an annual rent of £700, representing a rate of £50 per vergée, both for a period of three years, with effect from 25th December, 1986;
- (d) as recommended by the Public Health Committee, the passing of a Contrat de Bornement with Fife Investments Limited in order to establish the boundary at Les Vaux Farm, St. Saviour, to the north of St. Saviour's Hospital, with the company being responsible for the payment of all legal fees;
- (e) as recommended by the Public Works Committee, the passing of a Contrat de Transaction in order to establish rights of way, boundaries and maintenance between the Public of the Island and other owners and tenants of Ordnance Yard (La Cour des Anciennes Casernes, Le Chemin du Bel and Le Chemin du Quay "passage" Marett), St. Helier;

- (f) as recommended by the Public Works Committee, the purchase from Mr. Barry Charles Noel of 531 square feet of land at Les Chataignieres, La Rue de la Croix, St. Ouen, required in connexion with a road improvement scheme, for a consideration of £1,000, and the payment to Mr. Noel of £4,000 towards the cost of accommodation works, including the rebuilding of a granite-faced wall, with each party being responsible for the payment of its own legal fees;
- (g) as recommended by the Public Works Committee, the cession, free of charge, by the Parish of St. Saviour, of an area of land measuring 86 square metres, at the junction of La Grande Route de St. Martin and Rue de Trot, required in connexion with a road improvement scheme, with the Committee being responsible for the accommodation works and the payment of all legal fees;
- (h) as recommended by the Public Works Committee, the purchase from Unicorn Investments Limited of an area of land measuring 59 square feet, situated at Mont Sohier Close, La Route des Gênets, St. Brelade, required in connexion with the provision of a footpath from Mont Nicolle School to Woodbine Corner, for a consideration of £118, with the Committee being responsible for the accommodation works and the payment of all legal fees;
- (i) as recommended by the Tourism Committee, the assignment by Mrs. Carolyn Jane Le Main, née Le Tourneur, and Mrs. Shirley Edith Marjorie Le Tourneur, née Morris, to Mrs. Carla Allen, née Sawyer, of the balance of the lease of First Tower Kiosk, St. Helier, to expire on 24th December, 1987, on the same terms and conditions notified to the States on 23rd October, 1984;
- (j) as recommended by the Public Health Committee, the leasing to the Jersey Council on Alcoholism of 28, West Park Avenue, St. Helier, for a further period of nine years, with effect from 1st August, 1987, at the existing annual rent of £1,000;
- (k) as recommended by the Public Works Committee, the purchase from Norman (Holdings) Limited of the property "Modena", Clarence Road, St. Helier, required in

connexion with proposed road improvement proposals at Pleasant Street/Clarence Road, for a sum of £51,000, with each party being responsible for the payment of its own legal fees.

Matters lodged.

The following subjects were lodged “au Greffe” –

1. **Resources Recovery Board: capital estimates for 1988. P.86/87.**
Presented by the Resources Recovery Board. The States decided to take this subject into consideration on 16th June, 1987.
2. **Howard Davis Farm: bulb sterilisation plant. P.87/87.**
Presented by the Agriculture and Fisheries Committee. The States decided to take this subject into consideration on 23rd June, 1987.
3. **Housing Committee: development proposals for 1988. P.88/87.**
Presented by the Housing Committee. The States decided to take this subject into consideration on 16th June, 1987.
4. **Victoria Cottage Homes: upgrading. P.89/87.**
Presented by the Cottage Homes Committee. The States decided to take this subject into consideration on 23rd June, 1987.
5. **Airport: replacement of meteorological data system. P.90/87.**
Presented by the Harbours and Airport Committee.
6. **Airport: construction of new electricity plant house, etc. P.91/87.**
Presented by the Harbours and Airport Committee.
7. **Ferry Berth, West of Albert Pier: passenger gangway. P.92/87.**
Presented by the Harbours and Airport Committee.
8. **Airport: replacement of distance from threshold indicator. P.93/87.**
Presented by the Harbours and Airport Committee.

9. **Airport: extra taxiway. P.94/87.**
Presented by the Harbours and Airport Committee.
10. **Field 213, Petite Route des Mielles, St. Brelade: purchase. P.97/87.**
Presented by the Housing Committee.
11. **Airport: meteorological radar. P.99/87.**
Presented by the Harbours and Airport Committee.

The States decided to take items 5 to 11 inclusive into consideration on 16th June, 1987.

The following subjects were lodged on 19th May, 1987 –

1. **Prison: perimeter fence. P.80/87.**
Presented by the Prison Board.
2. **Old Orchid Nursery, Mont Millais: development. P.81/87.**
Presented by the Housing Committee.
3. **Draft Electricity Link with France (Protection of Submarine Cable) (Jersey) Regulations, 198 . P.82/87.**
Presented by the Harbours and Airport Committee.
4. **The Dell, Rue du Galet, St. Lawrence: lease. P.83/87.**
Presented by the Education Committee.

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

The following subjects were lodged on 26th May, 1987 –

1. **Draft Social Security (Jersey) Regulations, 198 . P.84/87.**
Presented by the Social Security Committee.
2. **Draft Amendment (No. 7) to Standing Orders relating to certain transactions in land. P.85/87.**
Presented by the Legislation Committee.

The States decided to take the abovementioned subjects into consideration on 9th June, 1987.

New Morley Nurseries, St. Saviour: purchase. P.82/86. Withdrawn.

THE STATES noted that Deputy Francis Hedley Morel of St. Saviour had withdrawn the Proposition regarding the purchase of New Morley Nurseries, St. Saviour (lodged on 3rd June, 1986).

Prison: perimeter fence. P.80/87.

THE STATES acceded to the request of the President of the Prison Board that the Proposition relating to the construction of a new perimeter security fence at Her Majesty's Prison (lodged on 19th May, 1987) be considered prior to the Proposition on the sale of industrial sites at Rue Fondon Trading Estate, St. Peter (P.140/86) at the present Sitting.

North Telephone Exchange: transfer of administration. P.78/87.

THE STATES acceded to the request of the President of the Housing Committee that consideration of the Proposition relating to the transfer of administration of the North Telephone Exchange (lodged on 12th May, 1987) be deferred from the present Sitting to a later date.

Income Tax. Questions and answers.

Senator Terence John Le Main asked Senator Reginald Robert Jeune, President of the Finance and Economics Committee, the following questions –

- “1. Can the President inform the House how much is outstanding in income tax arrears for every year since 1975 and the number of debtors?
2. How many persons have been subject to arrest by the Viscount for the years 1980 – 1985 for non-payment of income tax?
3. Is it correct that a person successfully prosecuted for income tax arrears in the Petty Debts Court can face immediate arrest, seizure of his/her goods or imprisonment on the instruction of the Comptroller of Income Tax without knowing the personal circumstances of the debtor?

4. Will the President say whether it is correct that a person or the representative of a company successfully prosecuted in the Royal Court for non-payment of income tax does not face immediate arrest or seizure of goods for some considerable time, unlike the case of a Petty Debts Court judgement and that the penalty of imprisonment does not apply?
5. Will the President undertake to ensure that the Connétable of the Parish concerned is contacted prior to an arrest by the Viscount to see whether they would be aware of the debtor's financial circumstances?
6. Having regard to the many complaints that I have received from the public, would the President give an assurance that members of the public who find themselves in difficulty over arrears of income tax are treated courteously and with respect by the Income Tax Department?
7. Will the President inform the House of the progress of the proposed P.A.Y.E. system which is to come into effect early in 1988 and will he explain how it will work?"

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

- “1. This information would have to be extracted manually and could only be supplied at an unacceptable cost. The Income Tax Department's computer system is not yet complete; work currently being undertaken will, in due course, enable this sort of analysis to be carried out by the computer.
2. No records are kept but the Comptroller of Income Tax estimates that the number would have been not more than 5 a year.
3. Correctly stated, the position is that an Act of the Petty Debts Court grants permission for the arrest of the debtor's goods, but if there are no arrestable assets the debtor may be arrested and imprisoned. This applies to any judgment debtor, not just to an income tax debtor. In practice, the Comptroller seeks to place an arrest on the debtor's wages or salary. If that is not possible, for example if the defaulter

is self-employed, the Comptroller attempts to obtain payment by agreed instalments. The seizure of the goods or person of the debtor is a last resort employed when all other reasonable steps have been taken.

4. It is correct to say that a judgment of the Royal Court does not grant permission to arrest the person of the debtor but it does permit the arrest of his goods. If an Act of the Royal Court is not complied with the Royal Court will, on subsequent representation, make an “Acte à Peine de Prison” ordering the imprisonment of the debtor if the failure to pay continues. As explained in the answer to question 3, the Comptroller does not immediately seek the arrest of the goods or person of the debtor and in practice the differences between the procedures of the two Courts is of no significance.
5. No: I would not wish to lay down rigid instructions of this kind because the Comptroller and the Viscount must have the flexibility to deal with each case on its merits. Furthermore, it is the responsibility of the taxpayer to ensure that all information affecting his ability to pay income tax demands is known to the Comptroller. If there is good reason for non-payment of tax – such as unemployment or sickness – and the Comptroller is kept informed of the situation, there would be no question of arresting the goods or person of the debtor.
6. Both I and the Comptroller are surprised at the Senator’s statement that he has received many complaints. The Comptroller has asked that the Senator supply to him details of the complaints so that he can investigate them personally. My opinion is that the staff of the Income Tax Department do a difficult job really rather well and I have no doubt that anyone who co-operates with the Department will receive all the help he requires. The Senator will, I am sure, agree that non-payment of tax is, in effect, an offence against all those who pay their taxes promptly and I hope he accepts that the Comptroller and his staff should take firm action where irresponsibility is the prime cause of the non-payment of tax. In its dealings with the public the Income Tax Department sets out to be firm, fair, courteous and helpful and I am happy to give the Senator the assurance he seeks.

7. The Senator will be aware that in 1983 the States rejected propositions calling for the adoption of a P.A.Y.E.-type tax deduction scheme. The scheme to be introduced next year is not to a P.A.Y.E. scheme, as that term is normally understood, but it will help those people who have difficulty in setting aside regular savings in anticipation of their annual tax bill. From January 1988, a taxpayer will be able to pay by monthly standing order a sum based on one-twelfth of the tax bill that he will receive in September 1988. There will be provision for adjusting the monthly instalments so that the exact bill is covered by the end of each year. This scheme has the advantage over a P.A.Y.E. scheme that it can be applied to self-Employed and non-employed individuals and is not limited solely to employees. A taxpayer in arrears will also be able to use the scheme but he will, of course, be expected to bring his tax position up-to-date over a period of time.”

Production of information by Committees to individual Members of the States. Answer.

H.M. Attorney General replied to a question asked in the House on 24th March, 1987 by Senator Ralph Vibert about the production of information by Committees to individual members of the States as follows –

“Advocate Birt’s opinion was given to the Solicitor General at the request of a particular Member in relation to a specific issue. I do not consider that it is necessary or even desirable that I should express either agreement or disagreement with the conclusion reached by Advocate Birt concerning that specific issue. I propose to confine my reply to the important matters of broad principle which are raised by the opinion.

Advocate Birt poses two questions, which are as follows –

- (1) Is a States’ Member entitled to information in the possession of a Committee and if so in what circumstances?
- (2) If there is such a right and such information is refused, will this right be enforced by the Royal Court?

I propose to deal with these questions separately.

- (1) In considering this question, it may be helpful briefly to review the development of the Committee system. It appears that in the latter part of the seventeenth century, possibly earlier, the States began referring specific problems to designated Members of the Assembly.

On 4th August, 1679, the States, having named Sir Edouard de Carteret to argue a particular matter before the Sovereign in Council, then named five Jurats, the Dean and one of the Rectors, and two of the Constables, assisted by the Greffier, as a committee (although the word is not actually used) to give day-to-day instructions to de Carteret. Any five of the persons named could act, provided that there was always at least one of each order.

On 22nd March, 1697, four Jurats, three Rectors and three Constables, or two of each order, were appointed as a committee (the word appears in the Société Jersiaise edition of the Actes des Etats, but it may have been added by the editor). They were to attempt to persuade the Sovereign to re-establish the Island's privileges, 'et en faire rapport aux Etats'.

During the eighteenth century, references in the Actes des Etats to committees became more plentiful.

- (i) In 1701, there is a reference to the States receiving from the 'Comité des Chaussées', and making an order in accordance with it.
- (ii) In 1702, a committee was appointed to consider, and to report to the States, on the best way of re-establishing and affirming the privileges of the Island.
- (iii) In 1707, a committee was set up to draw a 'Rémontrance' relating to an Order in Council of 5th June, 1707, 'quelle Rémontrance lors qu'aprouvé, sera signée par tous les membres des Etats'.

- (iv) In the same year, there is a reference to members of the 'Comité des Chaussées' failing to attend Committee meetings.
- (v) Further references to Committees appear in 1709, 1712, 1713, 1714, 1724, 1726, 1728 and 1729. Thereafter they are too numerous to mention.

It seems clear that during the eighteenth century the practice became established, if it had not been established earlier, of referring matters to committees.

These committees were of two types –

- (a) *ad hoc* committees, set up on a specific occasion to deal with a specific problem;
- (b) standing committees, which appear to have had a continuous existence. The first such committee to which regular reference is made is the 'Comité des Chaussées' (also referred to as the 'Comité des Havres et Chaussées'). By the end of the eighteenth century, there are references to this Committee, and to the 'Comité de la défense de l'Ile, the 'Comité de la Bibliothèque', the 'Comité de (or pour) l'Hôpital Général' and the 'Comité de (or pour) les Chemins', in terms which indicate that these committees had a continuous existence.

In the majority of instances, particularly the cases of the *ad hoc* committees, the committee does not appear to have had a power to determine the matter entrusted to it; instead it is required to present its report to the States, who themselves made whatever decision was to be made. (It is of course, possible that the standing committees made final determinations of matters within their competence, no record of which appears in the Actes des Etats). In July and again in November 1743, acts passed by committees have been enrolled, but these are in cases where the Act of the States constituting the committee authorised it to make a decision.

In view of the fact that committees were delegates of the States, and that in many cases the ultimate decision on a matter which had been referred to a committee rested with the States, it seems reasonable to expect that the Members of the States would have been entitled to see all documents in the possession of a committee relating to its discussions and decisions. That this view is correct is, in my opinion, established beyond doubt by one of the provisions in the Code des Lois of 1771. That provision is contained in the section of the Code headed ‘Greffiers’, the second paragraph of which runs as follows –

‘Le Greffier est tenu de donner son attendance à tous les Committés des Etats, et de garder les livres et papiers qui regardent les délibérations ou résolutions des Committés, pour que les Membres desdits Committés, ou ceux des Etats, puissent y avoir recours.’ (my underlining).

It is clear from the words ‘ou ceux des Etats’ that Members of the States as well as members of the committees, were entitled to have recourse to the books and papers of the committee.

This is understandable, in view of the fact that, as I have stated, it was the States and not the committee which, as often as not, made the final decision, and the committee made only a report or a recommendation.

The provision of the Code of 1771 which I have quoted was repealed by Article 14 of the Departments of the Judiciary and the Legislature (Jersey) Law, 1965 – (‘the 1965 Law’). This gives rise to the question whether the repeal of the provision has in some way destroyed the right of Members of the States to see the committee minutes and papers referred to in the repealed provision. In my opinion it has not.

That provision of the Code of 1771 did not in my view create the right; it merely acknowledged its existence. I base this view upon the following –

- (a) The wording of the provision. It did not provide that Members of the States should have a right to consult

committee minutes and papers; it stated that the Greffier should have custody of the papers, and then went on to explain why. The reason was so that members of committees and of the States might have access to them.

- (b) The fact that the provision appeared in a section headed 'Greffiers'. The clear primary purpose of the provision was to place a duty upon the Greffier to be the custodian of the minutes and papers.

The repeal of that provision of the Code of 1771 did not in my opinion affect the well-established right of access of Members of the States to minutes and papers of committees which are in the custody of the Greffier of the States.

The next question is whether that right extends to documents or information in the possession not of the Greffier of the States but of Committees or Departments of the States. Whereas in time past all relevant papers were held by the Greffier this is no longer the case. With the development of government which has taken place in recent decades most information, apart from minutes and official correspondence, is now held in Departments other than the States' Greffe. I can find no authority upon this question and it requires the resolution of conflicting considerations. On the one hand it would be inconvenient and cumbersome if a Committee were to be under an obligation to supply information to satisfy the curiosity rather than the legitimate interest of a Member. Furthermore some information might be of a sensitive or confidential nature, extensive knowledge of which might not be in the public interest. On the other hand if a Member genuinely requires information in the possession of a Committee for the proper performance of his functions as a Member, it must be right that he should have access to it. In general it appears to me that this problem is more theoretical than practical. It is difficult to envisage a Committee wilfully withholding information from another Member unless there existed proper reasons for so doing. In the event that the Member disagreed with the Committee's reasons it would be open to him to lodge a proposition inviting the States to direct that he be given access to the information. I therefore answer

the first question posed by Advocate Birt by expressing the opinion that a Member has a clear right of access to committee minutes and papers in the custody of the Greffier and a right of access to other information in the possession of a Committee unless there are good grounds for denying access.

- (2) The second question, namely whether this right of access would be enforced by the Royal Court, is more difficult and, in the absence of any authority, I can do no more than express an opinion based upon my conception of the constitutional status of the States.

In England the position appears to be relatively clear. So far as Parliament is concerned the Courts will not intervene to compel the executive (Her Majesty's Government) to furnish information to a member of the legislature. Parliament is deemed to be able to control the executive and so to arrange matters that its members obtain sufficient information to carry out their duties. In a series of cases which came before the English Courts in the nineteenth century of which the most celebrated is *Bradlaugh v. Clarke* (1883) 8 AC 354 it was settled that the House of Commons had the exclusive right to regulate its own internal proceedings. It was a fundamental aspect of parliamentary privilege.

So far as local authorities are concerned the Courts will intervene if it is considered that the local authority has acted unreasonably. In the case of *City of Birmingham District Council v. O* (1983) 1 All ER 497 the House of Lords held that a councillor who was not a member of a particular committee was entitled to have access to the confidential files of that committee provided that there was good reason for such access. In that connexion the councillor had to demonstrate a 'need to know' such information in order properly to carry out his duties as a councillor. It is for the Council to determine whether there is a 'need to know' but the Courts will overrule that determination if the decision is regarded as unreasonable.

Is the States' Assembly therefore more akin to Parliament or to a local authority? It is clear on the one hand that

Jersey is not a sovereign country. It is constitutionally a dependency of the Crown. It is a territory for which the Crown is ultimately responsible but to which over a long period a considerable measure of autonomy has been accorded. On the other hand the States' Assembly exercises legislative powers which, even if not sovereign, are far more extensive than the limited delegated powers enjoyed by local authorities in England. Indeed the States are empowered by an Order-in-Council of 14th April, 1884, to pass triennial regulations relating to municipal and administrative matters which have the force of law without the sanction of Her Majesty. I have reached the conclusion, with some diffidence, that the Royal Court would not intervene to set aside a decision of the States relating to the regulation of its own internal proceedings. I reach that conclusion for three main reasons –

- (i) Article 27 of the States of Jersey Law, 1966 ('the 1966 Law') provides that the States shall make standing orders for the regulation of their proceedings and business. That Article also provides that standing orders, unlike other subordinate legislation, need not be published in the Jersey Gazette. The clear implication is that the regulation of the proceedings and business of the States is a matter for the Members themselves and not for any outside agency.
- (ii) Article 47 of the 1966 Law provides *inter alia* that evidence of the contents of the minutes of any document laid before the States or a Committee, and evidence of any proceedings before the States or a Committee, shall not be given elsewhere without the consent of the States or the Committee as the case may be. Upon the supposition that the States had refused to instruct a Committee to release information in its possession to a Member it is difficult to envisage how any sensible argument could take place before the Royal Court if the States were to refuse consent to the giving of any evidence concerning the proceedings leading to that refusal. Furthermore Article 55 of the 1966 Law provides that no person shall be subject to the jurisdiction of any Court in respect of the exercise of any power conferred on or vested in him by or under Part IV of the Law. Article 47 falls within Part IV of the Law.

- (iii) Given the effective separation of judicial power from legislative and executive power which was achieved by the constitutional reforms of 1948 I consider that the Royal Court would seek to avoid, if possible, the collision which would occur if it ordered a Committee to do that which the States had expressly declined to instruct that Committee to do.

I answer the second question therefore by expressing the opinion that the Royal Court would decline to exercise jurisdiction to enforce any right which a Member may have to information in the possession of a Committee.”

Draft Consumer Protection Law. Statement.

The President of the Legislation Committee made a Statement in the following terms –

“On 16th April, 1985, the States adopted a proposition of Deputy Norman Stuart Le Brocq of St. Helier requesting the Legislation Committee to prepare legislation to enable the States by Regulations, made on the proposition of any Committee of the States, to provide for any form of consumer protection. After voicing some disquiet at the very wide terms of the proposed legislation the Law Draftsman produced the draft Consumer Protection (Jersey) Law, 198- which was approved by my Committee and lodged ‘au Greffe’ on 24th June, 1986. At the suggestion of the Attorney General my Committee agreed that it would be prudent to seek the views of the Home Office on the draft Law which contains wide powers to legislate by Regulations. The Home Office takes the view that those delegated powers would result in the sanction by Her Majesty in Council being rendered effectively meaningless. My Committee has discussed the situation with the Attorney General and with Deputy Le Brocq and it appears clear that the broad instruction given to my Committee by the States cannot constitutionally be implemented. My Committee is therefore having discussions with Deputy Le Brocq with a view to the preparation of legislation in specific areas of consumer protection.”

Airport: Letting No. L65 – La Motte Garages Limited.

THE STATES, adopting a Proposition of the Harbours and Airport Committee –

- (a) approved the lease to La Motte Garages Limited of 1,080 square yards of land adjacent to the Quennevais Road, St. Brelade, shown coloured red on Drawing No. APL65/87 (being Letting No. L65) for a period of three years with effect from 1st July, 1987 at an annual rent of £5,324.40, representing a rate of £4.93 per square yard;
- (b) authorised the Greffier of the States to sign the necessary lease;
- (c) authorised the Treasurer of the States to receive the requisite sums as they become due.

67 Val Plaisant, St. Helier: purchase.

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

- (a) approved the acquisition by the Committee of No. 67 Val Plaisant, St. Helier, required in connexion with road improvement proposals contained in Proposition 1(r) of the Island Plan, lodged “au Greffe” on 29th July, 1986, from Mrs. Margaret Hoad, née Holder, for the sum of £67,500;
- (b) authorised the payment or discharge of expenses to be incurred in connexion with the acquisition of this property and all interests therein, from the Public Works Committee’s Capital vote of credit under the heading “Roads – Improvements, property acquisition and investigation” (Vote No. C0303), each party being responsible for the payment of its own legal fees;
- (c) authorised the Attorney General and the Greffier of the States to pass, on behalf of the public, any contracts which it may be found necessary to pass in connexion with the acquisition of the said property and any interests therein.

Broad Street Post Office: extension of private box facilities.

THE STATES, adopting a Proposition of the Committee for Postal Administration –

- (a) approved Drawings Nos. 2849/1A and 2849/2A, relating to extensions at the rear of the Broad Street Post Office to provide extra facilities for private boxes;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

Prison: perimeter fence. P.80/87.

THE STATES, adopting a Proposition of the Prison Board, approved in principle the construction of a new perimeter security fence at Her Majesty's Prison outside the existing fence.

Rue Fondon Trading Estate, St. Peter: sale of industrial sites. P.140/86.

THE STATES, adopting a Proposition of the Island Development Committee –

- (a) approved the sale of the light or service industry sites comprising the Rue Fondon Trading Estate, St. Peter, as follows –
 - (i) Site 1 to El Sol (C.I.) Limited for the sum of £97,638;
 - (ii) Site 2 to R. Le Garsmeur and Company Limited for the sum of £90,627;
 - (iii) Site 3 to A.C. Mauger and Sons (Holdings) Limited for the sum of £84,804;
 - (iv) Site 4 to Lamda Limited for the sum of £84,312;

- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts in these matters;
- (c) authorised the Treasurer of the States to receive the sums due from the sales.

Members present voted as follows –

“Pour” (26)

Senators

Vibert, Le Marquand, Binnington, Horsfall, Manton.

Connétables

Grouville, St. John, St. Martin, St. Peter, St. Helier, St. Mary, St. Ouen, St. Brelade, Trinity.

Deputies

Morel(S), Le Maistre(H), Roche(S), Le Brocq(H), Rumboll(H), St. Mary, Wavell(H), Billot(S), St. Peter, Mahoney(H), St. Martin, Baudains(C).

“Contre” (12)

Senators

Shenton, Rothwell, Le Main.

Connétable

St. Clement.

Deputies

St. Ouen, Le Gallais(S), Vandervliet(L), Grouville, Thorne(B), Blampied(H), St. John, Carter(H).

Deputy Leonard Norman of St. Clement declared an interest in the matter and withdrew from the Chamber prior to the debate.

States’ Trading Committees: policy review. P.75/87.

THE STATES, adopting a Proposition of the Policy Advisory Committee, requested the appropriate Committees to take such steps

as might be necessary to implement the proposals contained in the report of the Policy Advisory Committee dated 14th April, 1987 regarding Trading Committees.

Old Orchid Nursery, Mont Millais: development. P.81/87.

THE STATES, adopting a Proposition of the Housing Committee –

- (a) authorised the Committee to purchase the Old Orchid Site, Mont Millais, shown coloured red on Drawing No. 2850/P1, from Amalgamated Enterprises Limited for the sum of £220,000, with each side being responsible for their own legal fees;
- (b) authorised the Committee to negotiate with the owner for the purchase of No. 2 Mont Millais, St. Helier, shown coloured yellow on Drawing No. 2850/P1, at a fair and proper price to be agreed with the Finance and Economics Committee;
- (c) agreed that, in the event of it not being possible to reach agreement on a fair and proper purchase price for the properties described in paragraphs (a) and (b) above, the Committee be empowered to acquire the properties by compulsory purchase on behalf of the public in accordance with the provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law, 1961;
- (d) authorised the payment or discharge of the expenses to be incurred in connexion with the acquisition of the said properties and of all legal expenses from the Housing Committee Capital vote of credit “Land Purchase” (Vote No. C1104);
- (e) authorised the Attorney General and the Greffier of the States to pass, on behalf of the public, any contracts it might be found necessary to pass in connexion with the said property and any interests therein.

Electricity Link with France (Protection of Submarine Cable) (Jersey) Regulations, 1987. P.82/87.

THE STATES, by virtue and in exercise of the powers conferred on them by the Order in Council of the fourteenth day of April, 1884, made Regulations entitled the Electricity Link with France (Protection of Submarine Cable) (Jersey) Regulations, 1987.

The Dell, Rue du Galet, St. Lawrence: lease. P.83/87.

THE STATES, adopting a Proposition of the Education Committee –

- (a) approved the lease of The Dell, Rue du Galet, St. Lawrence, from Mr. John Leslie Keenan and Mrs. Primrose Anne Keenan, née Rainey, for a period of 2 years with effect from 1st June, 1987, with an option to renew for a further 2 years, at a weekly rental of £120, to be reviewed at the end of the first 2 year period;
- (b) authorised the Greffier of the States to sign the necessary Agreement with Mr. and Mrs. Keenan;
- (c) authorised the Treasurer of the States to pay the rent as it becomes due.

THE STATES rose at 3.45 p.m.

R.S. GRAY,

Deputy Greffier of the States.