

Price : £2.00

THE STATES assembled on Tuesday,  
24th May 1994 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Peter Crill, C.B.E.

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All Members were present with the exception of -

Senator John Stephen Rothwell - absent.  
Iris Medora Le Feuvre, Connétable of St.  
Lawrence - out of the Island.  
Michael Adam Wavell, Deputy of St.  
Saviour - out of the Island.

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Prayers

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Subordinate legislation tabled

The following enactments were laid before the  
States, namely -

1. Fire Service (General  
Provisions) (Amendment No. 16) (Jersey)  
Order 1994. R & O 8676.
2. Road Traffic (Pedestrian Roads) (Saint  
Helier) (Amendment No. 2) (Jersey)  
Order 1994. R & O 8678.

Prison Board - appointment of member

THE STATES appointed Kenneth Priaulx  
Vibert, Connétable of St. Ouen, as a member of  
the Prison Board.

Matters presented

The following matters were presented to the  
States -

1. Retail Prices Index: report by  
Central Statistical Office -  
R.C.13/94

Presented by the Policy and Resources Committee. THE STATES ordered that the said report be printed and distributed.

2. Parish rates review (P.124/93):  
report - P.65/94  
Presented by the Finance and Economics Committee. THE STATES ordered that the said report be printed and distributed.
3. Probation and After Care  
Service: report for 1993  
Presented by the Prison Board. THE STATES ordered that the said report be printed and distributed.

#### Matters noted - land transactions

THE STATES noted Acts of the Finance and Economics Committee dated 16th May 1994, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Education Committee, the lease to the Jersey Electricity Company Limited of an area within the basement of the new extension at Rouge Bouillon School for a period of 99 years, commencing 22nd November 1993, at an annual rent of £1, payable in full ten days after completion of the lease, for the sole purpose of constructing an electricity sub-station, and the grant, free of charge, to the Company of the necessary wayleave;
- (b) as recommended by the Harbours and Airport Committee, the lease to the Jersey Electricity Company Limited of the Les Quennevais Electricity Sub-Station for a period of 21 years from the date of passing of the relevant contract, at an annual rent of £5, on the basis that the total rent would be paid in advance at the commencement of the lease, together with the grant, free of charge, of the necessary wayleave;
- (c) as recommended by the Public Services Committee, the lease from the Tenants of Le Fief de l'Abesse de Caen of 134.10 square metres of land on common land off La Rue des Vaux, St. Martin, from 28th December 1991 until

28th December 2073, for a consideration of £99. (The Committee rescinded Act No. 1(i) of 6th July 1992, of the Committee as previously constituted);

- (d) as recommended by the Public Services Committee, the passing of a Contrat de Bornement with Mr. Michael Steven Barnes, of Pont de Passerelle, Gorey Hill, St. Martin, and Mr. Carl James Danby, of Gemini, Gorey Coast Road, St. Martin, in respect of the boundary with the public gardens situated between Gorey Hill and La Rue de la Côte, Gorey, with each side being responsible for its own legal costs;
- (e) as recommended by the Public Services Committee, the lease from the Jersey Wildlife Preservation Trust of 1,508 square feet of land in the north-west corner of the Jersey Zoo, for a period of 99 years for a single sum of £1,508 to be paid at the commencement of the lease and with the Committee being responsible for all legal fees involved in the transaction;
- (f) as recommended by the Public Services Committee, the passing of a Contrat de Bornement between the public of the Island and Mr. Deryk Anthony Haithwaite and Mrs. Diana Margaret Haithwaite, née Eastwick, to clarify the eastern boundary between Mont Orgueil Castle and the property Le Quatorze, 14 Gorey Pier, St. Martin, with Mr. and Mrs. Haithwaite being responsible for all legal fees involved in the transaction;
- (g) as recommended by the Harbours and Airport Committee, the passing of a Contrat de Bornement between the public of the Island as owners of No. 15 Gorey Pier, St. Martin, and Mr. Deryk Anthony Haithwaite and Mrs. Diana Margaret Haithwaite, née Eastwick, to clarify the southern boundary of No. 14 towards No. 15, in order to -
  - (i) declare party ownership of the gable end chimneys;
  - (ii) establish rights of access on to public property to repair exposed parts of the east gable; and
  - (iii) agree that the window on the rear of No. 14 should remain

as established;

- (h) as recommended by the Housing Committee, the sale of a strip of land, measuring 108 metres in length and 1.2 metres in width, to the south of Balleine Close, La Rue de la Croix, St. Clement, to the following -
- (i) Mr. Jonathan Peter Clive Jones and Mrs. Cécile Therese Jones, née Le Feuvre, of 'The Villa', La Rue de la Croix, St. Clement;
  - (ii) Mr. Dennis John de Gruchy and Mrs. Margaret Christine de Gruchy, née Dalton, of 'Capello', La Rue de la Croix, St. Clement;
  - (iii) Mr. Peter Dean and Mrs. Elizabeth Dean, née Michel, of 'La Berge', La Rue de la Croix, St. Clement;

- (i) as recommended by the Housing Committee, the transfer of ownership of two areas of land at Trinity Road and Les Vaux Road, St. Helier, to the Parish of St. Helier for a consideration of £20 (£10 each) with each party paying its own legal fees arising from the transaction, the two areas of land being -

- (i) 602 square feet of land on the corner of the Beau Vallon housing development, Trinity Road, St. Helier; and
- (ii) 425 square feet of land near Cherry Orchard Court bordering Les Vaux New Road, St. Helier.

The transfer was subject to the condition that the Parish of St. Helier undertook to reconstruct the roadside wall at Cherry Orchard Court and bear the cost of reconstructing the storage sheds on a site yet to be decided by the Housing Committee, construction of which would be subject to the approval of the island Development Committee;

- (j) as recommended by the Education Committee, a Deed of Arrangement in respect of the proposed fire escape arrangements outlined in a report, dated 21st September 1993, prepared by the Education Department, in order to allow guests at the Woodville Hotel,

St. Saviour's Road, St. Helier, to have access onto land at Victoria College, on the basis that the public did not incur any costs relating to the proposal and that all access and egress points were only operable from the hotel side and would be kept locked at all times, except in cases of extreme emergency;

(k) as recommended by the Island Development Committee, the sale to Mrs. Rachel Margaret Jane Gillies, née Christie, of approximately 1,000 square feet of land forming part of Field No. 141, La Rue Horman, Grouville, for a consideration of £10, and the construction by Mrs. Gillies of a 1.3 metre wide pavement along the western boundary of the said Field with a granite-faced wall at the rear of the pavement, with the newly constructed wall and the existing length of wall being in the ownership of Mrs. Gillies without relief and with each party being responsible for the payment of its own legal fees;

(l) as recommended by the Housing Committee, the grant to Fairview Farm Holdings Limited of a wayleave over Field No. 673, St. Martin, for a consideration of £1,500 plus all reasonable legal fees incurred by the public and the cost of all accommodation works;

(m) as recommended by the Housing Committee, the sale of the following areas of land to the owners of Nos. 1-8 Clos de Maupertuis, St. Clement, at the rate of £1 a square foot with each party being responsible for its own legal fees -

(i) Mr. Gary Philip Avrill and Mrs. Jane Avrill, née Robbins - 1 Clos de Maupertuis, St. Clement - 67 square feet;

(ii) Mr. Andrew James White and Mrs. Linda Jane White, née Le Cornec - 2 Clos de Maupertuis, St. Clement - 130 square feet;

(iii) Mr. Brian John Le Poidevin - 3 Clos de Maupertuis, St. Clement - 129 square feet;

(vi) Mr. Frederick James Stapley and

Mrs. Jean Mary Stapley, née  
Mockett - 5 Clos de Maupertuis,  
St. Clement - 167 square feet;

(v) Mr. Martin McLaughlin and Mrs.  
Madelaine McLaughlin, née Le Flock -  
6 Clos de Maupertuis, St. Clement -  
199 square feet;

(vi) Mr. Victor Robb Forster and Mrs.  
Monique Marie Françoise Forster,  
née Denis - 8 Clos de Maupertuis,  
St. Clement - 568 square feet.

(n) as recommended by the Public  
Services Committee (formerly the Public  
Works Committee), the lease to the  
Jersey Electricity Company Limited of  
site No. 357 in Sand Street Car Park,  
St. Helier, for a period of 21 years  
commencing 25th March 1990 at an annual  
rent of £1 payable in full in advance.  
(The Committee rescinded Act No. 5(b)  
of 19th March 1990, of the Committee as  
previously constituted);

(o) as recommended by the Defence  
Committee, the granting to the Jersey  
Electricity Company Limited of a  
wayleave, free of charge, through  
Fields Nos. 330 and 331, Crabbé, St.  
Mary, for the installation of an  
electricity cable;

(p) as recommended by the Housing  
Committee, the grant to the Jersey  
Electricity Company Limited of a  
wayleave across Le Clos de l'Eglise,  
Grouville, free of charge, with each  
party being responsible for its own  
legal costs associated with the  
transaction;

(q) as recommended by the Public  
Services Committee, the grant to the  
Jersey Electricity Company Limited of a  
contract wayleave across the La  
Collette reclamation site, St. Helier,  
as outlined on Plan PSJ.11, with the  
rights and duties conterminous with the  
lease by the public to the company of  
the site at La Collette free of charge  
and subject to safeguards as agreed  
with the Company;

(r) as recommended by the Housing  
Committee, the entering into of a  
Contrat de Transaction with Dagar  
Holdings Limited to define the  
boundaries between the site of the Beau

Vallon Hotel and 35B Old Trinity Hill, St. Helier, with reciprocal rights of access being granted for repair and with each party being responsible for its own legal fees;

- (s) as recommended by the Public Services Committee, the purchase from Mrs. Audrey Mavis Journeaux, née Castle, of 250 square feet of land at La Digue, Route de la Haule, St. Lawrence, for a consideration of £500, with the Committee being responsible for all legal costs and the accommodation works required to re-establish the boundary;
- (t) as recommended by the Public Services Committee, the purchase from George Francis Child-Villiers, the Right Honourable Earl of Jersey, of 7,460 square feet of land in Field No. 698, Grouville, for a consideration of £7,000, with the Committee being responsible for the vendor's reasonable legal costs in connexion with the transaction;
- (u) as recommended by the Housing Committee, the entering into of a Deed of Arrangement with Mrs. Florence Ada Gould, née Stephens, Mr. Anthony John Palmer and Mrs. Jennifer Stephens Palmer, née Gould, owners of 9 Wesley Street, St. Helier, and Allesley Investments Limited, the owner of the adjoining property Jardine House, in order to agree a realignment of boundaries, with the Committee being responsible for the payment of legal fees;
- (v) as recommended by the Housing Committee, the sale of an area of land measuring 1,205 square feet at Field No. 1311, St. Helier, to Mr. Pietro Ranise and Mrs. Jane Bethia Ranise, née Parker, for the sum of £2,410, with Mr. and Mrs. Ranise being responsible for all legal costs involved. The transaction would be subject to the following conditions - there would be a restriction of any building taking place on the land, the transfer was not to take place until after the proposed housing development at Field No. 1311 had been completed and an assurance was to be made that the width of the access road to the housing estate was acceptable;

(w) as recommended by the Housing Committee, the grant to Mr. Trevor Stanley Moore of a pedestrian right of way from the rear of his property, 39 Trinity Road, St. Helier, to Trinity Road across the site of the Beau Vallon Housing development, and the right to construct a garden gate at the rear of 39 Trinity Road to enable the right of way to be used, for the sum of £500, with Mr. Moore being responsible for all reasonable legal fees involved in the transaction;

(x) as recommended by the Public Services Committee, the purchase from Mr. Harry Hallewell Baudains of £2,861 square feet of land in Field No. 284, St. Clement, for a consideration of £5,000, with the Committee being responsible for all reasonable legal fees involved in the transaction;

(y) as recommended by the Public Services Committee, the entering into an Agreement with Mr. Harry Hallewell Baudains for the right across land in Field No. 284, St. Clement and the right to re-route existing services thereon, for a consideration of £2,000 with the Committee being responsible for all legal fees involved in the transaction;

(z) as recommended by the Public Services Committee, the purchase from the Parish of St. John of 552 square feet of land at Rue des Buttes, St. John, for a consideration of £552 with the Committee being responsible for all reasonable legal costs involved in the transaction;

(aa) as recommended by the Public Services Committee, the purchase from the Jersey New Waterworks Company Limited of the footpath bordering the northern end of Queen's Valley Reservoir, La Rue de la Hougue Bie, St. Saviour, free of charge, with the Committee being responsible for the maintenance of the land and for all reasonable legal fees involved in the transaction;

(ab) as recommended by the Harbours and Airport Committee, the granting of



a right of way to Falles Holdings Limited over land to the south of land known as Letting No. L65, on the following conditions -

- (i) that the Housing Committee approved the creation of a second access from Le Clos Saut Falluet, St. Brelade, at some time in the future in order to permit the re-provision of access to the Jersey Electricity Company Limited electricity sub-station along the southern edge of the commercial land off L'Avenue de la Commune; and
  - (ii) that Falles Holdings Limited relinquish all rights and entitlement in respect of the existing access road to its paint spray and repair workshop premises from La Route des Quennevais.
- (ac) as recommended by the Housing Committee, the sale to Mr. Stephen Charles Holloway and Mrs. Patricia May Holloway, née Hannam, of an area of land measuring approximately 650 square feet at the bottom of the rear garden belonging to their property known as 5 Le Bel Estur, St. Saviour, for a consideration of £1,300 (representing a rate of £2 a square foot) plus all reasonable legal fees incurred by the public, on condition that the land would not be built upon for any purpose;
- (ad) as recommended by the Committee for Postal Administration, the renewal of the lease to the Jersey Citizen's Advice Bureau of 942 square feet of office accommodation on the second floor of 15 Broad Street, St. Helier, for a period of one year from 1st January 1994 at an annual rent of £11,775 (representing a rate of £12.50 a square foot) which included an element towards the maintenance of the communal areas;
- (ae) as recommended by the Island Development Committee, the lease to Victor Hugo Management Limited of the Victor Hugo site, Grève d'Azette, St. Clement, for a period of nine years rent free,

commencing from the date of signing the agreement, subject to a break clause at any time should the Company undertake to recommence its development programme or to sell the site to a third party who would recommence the development programme.

Matter noted - financial transaction

THE STATES noted an Act of the Finance and Economics Committee dated 16th May 1994, showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the Education Committee had accepted the lowest of four tenders, namely that submitted by Charles Le Quesne (1956) Limited in the sum of £1,852,914 for Phase 2 of Les Quennevais School repairs.

Matters lodged

The following subjects were lodged ``au Greffe" -

1. Draft Limited Partnerships (Jersey) Law 199 - P.66/94.  
Presented by the Finance and Economics Committee.
2. Jersey Council for Safety and Health at Work: appointment of chairman - P.68/94.  
Presented by the Social Security Committee.
3. Draft Public Holidays and Bank Holidays (Jersey) Act 199 - P.69/94.  
Presented by the Legislation Committee.
4. Airport development plan - P.70/94.  
Presented by the Harbours and Airport Committee.
5. Draft Licensing (No. 8) (Jersey) Regulations 199 - P.71/94.  
Presented by the Tourism Committee.
6. Les Landes heathland area, St. Ouen (P.51/94): amendment P.72/94.  
Presented by Senator V.A. Tomes.
6. Bagatelle Nurseries, Claremont

Road, St. Saviour: transfer of  
administration P.73/94.  
Presented by the Island  
Development Committee.

Arrangement of public business for the present  
meeting

THE STATES acceded to the request of the  
President of the Legislation Committee that  
consideration of the draft Sexual Offences  
(Amendment) (Jersey) Law 199 (P.61/94 - lodged  
``au Greffe" on 10th May 1994) be deferred from  
the present meeting to a later date.

THE STATES acceded to the request of Senator  
Vernon Amy Tomes, with the support of the Island  
Development Committee, that consideration of Les  
Landes heathland area, St. Ouen (P.51/94 -  
lodged au Greffe on 12th April 1994) be deferred  
from the present meeting to a later date.

THE STATES agreed to take into consideration at  
the present meeting a proposition of the  
Harbours and Airport Committee regarding the  
purchase of 1 Kent Villas, Clos de Clement, St.  
Peter, the Bailiff having agreed that the  
proposition be moved without the usual notice.

Draft Licensing (No. 8) (Jersey) Regulations  
199 - P.33/94. withdrawn

THE STATES noted that the President of the  
Tourism Committee had withdrawn the draft  
Licensing (No. 8) (Jersey) Regulations 199  
(lodged ``au Greffe" on 15th March 1994) having  
lodged revised draft Regulations at the present  
meeting (P.71/94).

Arrangement of public business for the next  
meeting on 7th June 1994

THE STATES confirmed that the following subjects  
lodged ``au Greffe" should be considered at the  
next meeting on 7th June 1994 -

Draft Animals (Trapping) (Amendment)  
(Jersey) Law 199 - P.40/94.  
Lodged: 12th April 1994.  
Agriculture and  
Fisheries Committee.

Traffic and transport policy - P.59/94.  
Lodged: 3rd May 1994.  
Public Services Committee.

St. Mary's Village Plan - P.62/94.  
Lodged: 10th May 1994.

Island Development Committee.

Draft Building Loans (Miscellaneous Provisions) (Amendment No. 23) (Jersey) Regulations 199 - P.64/94.  
Lodged: 10th May 1994.  
Housing Committee.

Jersey Council for Safety and Health  
at Work: appointment of chairman - P.68/94.  
Lodged: 24th May 1994.  
Social Security Committee.

Draft Public Holidays and  
Bank Holidays (Jersey) Act 199 - P.69/94.  
Lodged: 24th May 1994.  
Legislation Committee.

Airport development plan - P.70/94.  
Lodged: 24th May 1994.  
Harbours and Airport  
Committee.

Job Club - questions and answers (Tape No. 238)

Senator Richard Joseph Shenton asked the President of the Social Security Committee the following questions -

1. Does the President believe that the Jersey Job Club has performed a valuable service in assisting local unemployed people and helping them to find employment?
2. If the answer to question 1 is affirmative, why has the Job Club been unable to secure long-term States' funding and why does it currently have to live from hand to mouth?
3. Has the President or his Committee given any thought to the possibility of allowing the Job Club to function as an independent body within pre-agreed guidelines? Is the President aware that part of the success of the Job Club is the fact that the local unemployed feel that it is not a bureaucratic establishment and is staffed, run and operated by people who have a better insight into their predicament?
4. Finally, does the President agree that it would be a sensible use of resources for the Job Search Scheme to be carried out from the Job Club premises in order to help save money and, at the same time, ensure that there is a

satisfactory follow-up process which, apparently, is not the case currently?"

The President of the Social Security Committee replied as follows -

1. The short answer is undoubtedly 'yes'. The Job Club is only one of a number of ways in which assistance has been provided to cope with the greater number of unemployed persons which we have seen recently, including a variety of measures initiated by the Employment Enterprise Board. Members should be aware in particular of the developments which have taken place at the Job Centre, to which increasingly vacancies are being referred for a wide variety of jobs. I am also pleased to be able to pay tribute publicly to the manager of the Job Centre, David Bisson, and my Committee member Deputy Evelyn Pullin, who has taken a keen interest in the problems of the unemployed, both of whom sit on the Management Committee of the Job Club.
2. It might be helpful to preface this answer by advising that the activities and the future of the Job Club continue to be the subject of discussions between Social Security and the Committee of Management of the Job Club. In essence the Social Security Committee believes that the Job Club does have a rôle to play in the battle against unemployment, a rôle which is complementary to that of the Job Centre. Its activities should be seen in context, and now certainly against a background where there is no longer a rising unemployment problem and current predictions for the next winter point to unemployment figures 25 per cent to 30 per cent down on last year. Unemployment levels at present, even with the recent termination of this winter's temporary employment scheme, are just over 500 or less than two per cent of the workforce.

The Job Club is an independent organisation set up in 1993 by the unemployed, and as such it is not accountable to any States' Committee.

At the time it was set up it was hoped that it would only have a temporary life, and that once unemployment levels dropped, its activities would no longer be necessary. It is currently funded by a grant from the Finance and Economics Committee and occupies premises at 21 Hill Street provided by my Committee. I should also add that these premises are only available to us on a temporary basis pending their future redevelopment. The securing of long-term funding would, in my view, depend on likely future levels of unemployment and the services which the Job Club may be better able to provide. We are currently talking to the Management Committee about the future of the Job Club, including the funding, but I suggest that any long-term funding arrangements would demand a degree of evaluation, and accountability to a States' Committee (such as Finance and Economics or Social Security). I do not believe it is true to say that the Job Club is living from hand to mouth, as funding continues to be provided from the Finance and Economics, but if the Job Club has any specific difficulties then my department would certainly consider help where appropriate.

3. In simple terms the answer is 'yes' to both these questions. My Committee has been considering proposals which seek to retain as far as possible the independence of the Job Club, whilst increasing its accountability and improving its direction. These proposals have been put to, and I believe welcomed by, the Management Committee of the Job Club, and provided that Committee is indeed happy with our proposals then my Committee would seek to secure the future whilst unemployment continues to remain a high profile problem.

The Social Security Department acknowledges and envies the Job Club's perception as a 'non-governmental' establishment, and indeed this is its prime strength. However one should be under no illusions regarding numbers. I understand that the Job Club deals on average with some 40-50 persons a week, whilst my department copes with something like 500 persons a day. Furthermore it is by no means certain that the unemployed are best served by

other unemployed persons, unless those persons are well trained and directed, although I do accept that self-help groups and previously unemployed people can help to provide a better insight into unemployment problems. There is always a danger with a service run by well-meaning untrained and perhaps temporary staff unless there is a clear strategy, and whilst I am not in any way criticising the present Job Club leadership, one requirement if my Committee were to become more directly involved would be the need to set and monitor standards for the future.

4. I am always happy to look at ways and means of saving money, and indeed I have considered the use of the Job Club premises for the job search programme. My department is not skilled in training matters and the job search programme is one of the initiatives of the Employment Enterprise Board, the content, delivery and follow-up of which have all been monitored by the Jersey Training Agency. The greatest cost in such programmes is that of the tutorial staff involved, which had led us to provide courses for 12 to 15 persons at a time. This number we felt was too great to accommodate comfortably at the Job Club premises, but I do agree that any follow-up or other initiatives involving fewer numbers could and might well be carried out from the Job Club premises. This is an area into which we are already looking, but I would again stress our wish to maintain standards and to continue the involvement of the Jersey Training Agency.

In conclusion may I assure the Senator that we are working together to provide an economic and efficient solution to matters of unemployment, and I am pleased to confirm that a working party has been set up by the Policy and Resources Committee to look into employment, training and future needs, and the ways in which these can be best addressed, including the future responsibilities of the Job Club. It is my view, and, I am sure, that of both my Committee and Policy and Resources, that the long-term solution to unemployment rests on a workforce which is both well-motivated and well-trained, and this is the way we intend

to proceed."

1 Kent Villas, Clos de Clement, St. Peter:  
purchase in Airport Noise Zone 1

THE STATES, adopting a proposition of the  
Harbours and Airport Committee -

- (a) approved the purchase from Mrs. Jessie Millicent Holley (née Busby) of No. 1 Kent Villas, Clos de Clement, St. Peter which is situated within an area designated as Aircraft Noise Zone 1 on the Island Map 1/87, as amended, for the sum of £130,000, with each party being responsible for the payment of its own legal fees;
- (b) authorised the Attorney General and the Greffier of the States to pass on behalf of the public any necessary contracts connected with the purchase;
- (c) authorised the Treasurer of the States to pay the expenses connected with the purchase of the property from the Island Development Committee's vote of credit C0904 'Land Acquisition - Major Reserve'.

Prison (Amendment No. 3) (Jersey) Law  
1994 (Appointed Day) Act 1994

THE STATES, in pursuance of Article 11 of the  
Prison (Amendment No. 3) (Jersey) Law 1994, made  
an Act entitled the Prison (Amendment No. 3)  
(Jersey) Law 1994 (Appointed Day) Act 1994.

Protection of Children (Jersey) Law 1994  
(Appointed Day) Act 1994

THE STATES, in pursuance of Article 7 of the  
Protection of Children (Jersey) Law 1994, made  
an Act entitled the Protection of Children  
(Jersey) Law 1994 (Appointed Day) Act 1994.

Court of Appeal (Amendment No. 6) (Jersey) Law  
1993 (Appointed Day) Act 1994

THE STATES, in pursuance of Article 3 of the  
Court of Appeal (Amendment No. 6) (Jersey) Law  
1993, made an Act entitled the Court of Appeal  
(Amendment No. 6) (Jersey) Law 1993 (Appointed  
Day) Act 1994.



Compulsory Purchase of Land (Procedure)  
(Amendment No. 5) (Jersey) Law 1994 (Appointed  
Day) Act 1994

THE STATES, in pursuance of Article 6 of the  
Compulsory Purchase of Land (Procedure)  
(Amendment No. 5) (Jersey) Law 1994, made  
an Act entitled the Compulsory Purchase of Land  
(Procedure) (Amendment No. 5) (Jersey) Law 1994  
(Appointed Day) Act 1994.

Supplementary Agreement amending the Agreement  
on Social Security between the Government of the  
United Kingdom and Northern Ireland and the  
Government of the United States of America

THE STATES, adopting a proposition of the Social  
Security Committee, requested the Bailiff to  
inform the Secretary of State that it is the  
wish of the Assembly that the Supplementary  
Agreement Amending the Agreement on Social  
Security between the Government of the United  
Kingdom and Northern Ireland and the Government  
of the United States of America should apply to  
Jersey.

Understanding on Social Security between the  
United Kingdom Government on behalf of Jersey  
and Guernsey and the Government of Quebec

THE STATES, adopting a proposition of the Social  
Security Committee, requested the Bailiff to  
inform the Secretary of State that it is the  
wish of the Assembly that the Understanding on  
Social Security between the United Kingdom  
Government on behalf of Jersey and Guernsey and  
the Government of Quebec should apply to Jersey.

Parish rates review - P.124/93 and P.65/94

THE STATES commenced consideration of a  
proposition of Mr. John Pepin Le Sueur,  
Connétable of St. John, regarding the Parish  
Rates Review and considered Annex A of Appendix  
2 of the accompanying report - 'Working Party on  
Rates - recommendations on the review of the  
Parish Rate (Administration) (Jersey) Law 1946,  
as amended' and -

Paragraphs 1, 2, 3 and 4 were adopted.

Members present voted as follows -

``Pour" (35)  
Senators

Jeune, Horsfall, Le Maistre, Tomes.

#### Connétables

St. John, St. Clement, St. Mary, St.  
Brelade, Grouville, St. Helier, St.  
Saviour, Trinity, St. Martin, St. Ouen.

#### Deputies

Rumboll(H), Norman(C), St. John, St. Peter,  
H.Baudains(C), Le Sueur(H), St. Ouen,  
Coutanche(L), Huelin(B), St. Mary,  
S.Baudains(H), Le Fondré(L), Le Geyt(S),  
Walker(H), Pullin(S), Trinity, Carter(H),  
Duhamel(S), Routier(H), Dorey(H),  
Layzell(B).

``Contre" (11)

#### Senators

Stein, Quérée, Chinn, Bailhache, Syvret.

#### Deputies

Crespel(H), Johns(H), Matthews(B),  
Breckon(S), Huet(H), St. Martin.

Paragraphs 5, 6 and 7 were adopted.  
Paragraphs 8 and 9 were withdrawn.  
Paragraphs 10, 11 and 12 were adopted.  
Paragraph 13 was withdrawn.  
Paragraphs 14, 15, 16 and 17 were adopted.  
Paragraph 18 was withdrawn.  
Paragraph 19 was adopted.  
Paragraph 20 was rejected.  
Paragraphs 21, 22, 23, 24, 25, 26 and 27 were  
adopted  
Paragraph 28 was rejected.

(The amended Annex A of Appendix 2 of the  
report is set out as an Appendix to these  
Minutes.)

#### THE STATES thereupon -

- (1) approved the recommendations of the  
Working Party on the Review of the  
Parish Rate (Administration) (Jersey)  
Law 1946, as amended, set out in Annex  
A of Appendix 2 of the report, dated  
10th August 1993, as amended;
- (2) agreed, in principle, that a new Law be  
drafted to replace the Parish Rate  
(Administration) (Jersey) Law 1946, as  
amended, and requested the Legislation  
Committee to prepare the necessary  
legislation;

(3) requested the Policy and Resources Committee to include the drafting of the new Rates Law in the States Legislation Programme for 1993/94.

Termination of Employment - Minimum Periods of Notice (Jersey) Regulations 1994 - P.22/94

THE STATES, in exercise of the powers conferred on them by Article 7 of the Termination of Employment - Minimum Periods of Notice (Jersey) Law 1974, made Regulations entitled the Termination of Employment - Minimum Periods of Notice (Jersey) Regulations 1994.

Members present voted as follows -

``Pour" (38)

Senators

Shenton, Jeune, Horsfall, Le Maistre,  
Stein, Qu  r  e, Bailhache, Syvret.

Conn  tables

St. John, St. Brelade, St. Peter,  
Grouville, St. Helier, St. Saviour, St.  
Martin, St. Ouen.

Deputies

Rumboll(H), St. John, St. Peter,  
H.Baudains(C), Le Sueur(H), Coutanche(L),  
Huelin(B), S.Baudains(H), Le Fondr  (L),  
Crespel(H), Pullin(S), Carter(H), Johns(H),  
Duhamel(S), Matthews(B), Routier(H),  
Dorey(H), Layzell(B), Breckon(S),  
Grouville, Huet(H), St. Martin.

``Contre" (7)

Senators

Chinn, Tomes.

Conn  tables

St. Clement, St. Mary.

Deputies

Norman(C), St. Ouen, Trinity.

Agricultural Loans and Guarantees Advisory Board: appointment of members - P.50/94

THE STATES, adopting a proposition of the

Agriculture and Fisheries Committee -

- (a) approved the re-appointment of Mr. David John Le Marquand as Chairman of the Agricultural Loans and Guarantees Advisory Board;
- (b) approved the re-appointment of Mr. David John Picot as Vice-Chairman of the Agricultural Loans and Guarantees Advisory Board;
- (c) approved the re-appointment of Messrs. Walter Labey, Robin Victor Perchard, Lewis Rondel, Michael Touzel, David Vautier and Brian West as members of the Agricultural Loans and Guarantees Advisory Board;

for a period of three years, in accordance with Regulation 3(2) of the Agricultural (Loans) (Jersey) Regulations 1974, as amended.

Gambling (Channel Islands Lottery) (Amendment No. 2) (Jersey) Regulations 1994 - P.52/94

THE STATES, in pursuance of Article 3 of the Gambling (Jersey) Law 1964, as amended, made Regulations entitled the Gambling (Channel Islands Lottery) (Amendment No. 2) (Jersey) Regulations 1994.

Planning and building control charges - P.54/94

THE STATES, adopting a proposition of the Island Development Committee, received the report of the Island Development Committee, dated 7th April 1994, and -

- (a) approved, in principle, the introduction of charges for planning and building control services and charged the Island Development Committee to promote the necessary draft legislation;
- (b) agreed, in principle, that additional revenue expenditure in an amount to be agreed with the Finance and Economics Committee should be used by the Island Development Committee for environmental purposes, to be funded from income deriving from planning charges.

Airport terminal building: lease to British Airways Plc. - P.63/94

THE STATES, adopting a proposition of the Harbours and Airport Committee -

- (a) approved the lease to British Airways Plc of 4,435.75 square feet of accommodation at the Airport, at an annual rent of £65,229.58, for a period of three years with effect from 1st April 1994 with annual rent reviews;
- (b) authorised the Greffier of the States to sign the necessary agreement with the company; and
- (c) authorised the Treasurer of the States to receive the payments as they became due.

Advocates (Amendment No. 3) (Jersey) Law 1994 - P.60/94

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Advocates (Amendment No. 3) (Jersey) Law 1994.

THE STATES rose at 5.44 p.m.

C.M. NEWCOMBE

Deputy Greffier of the States.

## APPENDIX

PARISH RATES REVIEW - AMENDED ANNEX A  
OF APPENDIX 2 OF THE REPORT (P.124/93)

Paragraphs re-numbered

## ANNEX A

### WORKING PARTY ON RATES

RECOMMENDATIONS ON THE REVIEW OF THE  
"PARISH RATE (ADMINISTRATION) (JERSEY) LAW  
1946" (AS AMENDED)

Assessing property to rate (Second Schedule -  
Article 12(2))

1. It is unanimously recommended to alter the fundamental basis of assessing property to rate by dispensing with the existing

assessment formula.

2. In its place and stead be formulated a 'FIXED RATEABLE VALUE' (FRV) ordinarily derived by freezing a specific year's assessed rateable value. For foncier purposes actual rent would be totally disregarded and the landlord's liability calculated in the aforementioned manner.
3. That FRV figure would remain static from year to year unless there were any improvements, any alterations, any additions, or any change of status to the property. Notwithstanding, an appropriate re-assessment facility should be built in the new procedure for re-evaluation purposes. The frozen FRV would be published annually in a form of a valuation list much like the draft rate list appears at present.
4. With each property permanently assessed, fluctuations in rate liability would be concentrated solely on the unit cost per quarter (i.e. the rate) decided as at present according to the budgetary requirements of the respective parish.

Parish welfare responsibility - (Article 2 (2))

5. Because no other associated legislation can be identified it is important that the text of the Law recognises the parish responsibility for native welfare borne by rate revenue.

Reference to the definition of welfare in the existing Law is very ambiguous.

(It is noted that the States have recently accepted some moral and tangible responsibility for the plight of the unemployed).

Rate rebate - (Article 4 (3))

6. In 1991, (Amendment No. 5) repealed Article 3(3) and removed the entitlement for persons liable to foncier rate to recover from the parish a proportion of foncier rate had the property remained unoccupied for any part of the year.

Similarly, it is recommended that Article 4(3) be repealed which grants occupiers such an entitlement and advantage, and further, eliminates what has been used as a device to avoid liability. It is to be borne in mind that property which is

uninhabitable or unworkable is assessed commensurately at the outset of the rateable year.

#### Furnished properties (Article 4 (1))

7. Liability for occupier's rate in respect of furnished accommodation to remain the total responsibility of the landlord, in view of the high instance of occupancy movement (particularly in St. Helier).

#### Assessment committees (Article 7)

8. There should remain assessment committees for every parish, thereby retaining 12 autonomous rating authorities. Excepting St. Helier, every assessment committee should continue to comprise five members.
9. Invite the St. Helier authorities to discuss the suggestion that the existing St. Helier complement of four separate committees, each consisting of three persons, is over-cumbersome.
10. It is considered one overall committee for the parish of St. Helier of no more than the existing quota of 12 assessors would bring about a closer uniformity of valuation throughout the parish than the four divisions at present.

#### Penalty (Article 10 (5))

11. Remove threat of disenfranchisement as penalty for not submitting property schedule.

#### Transfer of ownership (Article 11)

12. To include a vehicle for notification of share transfer transactions which are not declared in the form of 'mutations' by the Public Registry.

#### Form of assessment (Article 12)

13. Instead of 'prepare a list' - 'have a list prepared'.

#### Posting of draft rate list (Article 13)

14. Instead of seven consecutive days, Saturdays and Sundays excepted, one working week (i.e. Monday to Friday inclusive) including an "out of office hours" facility.

#### Levy of rate (Article 19)

15. Delete (a source of misinterpretation) that the rate shall be levied within two months and make clearer that the levy is payable immediately the Parish Assembly has fixed the rate.

#### Representation of bodies (Article 22)

16. The naming, not necessarily annually, of a mandatory should be prescribed more clearly to avert attempts to circumvent the Franchise Law. A procedure for replacing a mandatory should also be catered for.

#### Membership of Parish Assembly (Article 23)

17. Membership should be automatic for any ratepayer and not qualified by a set number of quarters.

#### Publication of notices (Article 25)

18. It is recognised there are no longer two newspapers circulating in the Island nor publications in French.

#### Power of Supervisory Committee to make Orders (Article 24)

19. The new Law must continue to give clear mandate to the Supervisory Committee (as the parent body) to amend Articles by Order or the States to amend Articles by Regulation.

#### Agricultural land (Second Schedule - Article 3(2))

20. It is no longer appropriate, or equitable, that agricultural land should continue to receive preferential allowances and discounts.

#### Miscellaneous

##### Text

21. Retain French connotations in the text of the Law, e.g. Connétable, foncier, etc.

##### Rights of access

22. Assessors given means of reasonable opportunity to enter upon property for viewing and re-assessing purposes.



