

# STATES OF JERSEY ORDER PAPER

Tuesday 21st October 2003

**A. COMMUNICATIONS BY THE BAILIFF**

**B. TABLING OF SUBORDINATE LEGISLATION**

**C. MATTERS RELATING TO COMMITTEE MEMBERSHIP**

Resignation of Deputy Jacqueline Ann Hilton from the Home Affairs Committee.

**D. PRESENTATION OF PAPERS**

**(a) Papers for information**

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

School Milk: provision for the years 2003, 2004 and 2005 (P.7/2003) – comments. P.7/2003. Com. (3)  
*Finance and Economics Committee.*

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

14th October 2003

Public right of access to information, financial and other records of the States of Jersey (P.34/2003): comments. P.34/2003. Com. (3)  
*Policy and Resources Committee.*

**(b) Notification of Standing Order decisions**

**(c) Notification of acceptance of tenders**

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

Harbours and Airport Committee: Vote of No Confidence. P.143/2003.  
*Senator E.P. Vibert.*

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

14th October 2003

Draft Transfer of Functions (Policy and Resources Committee) (Jersey) Act 200-. P.140/2003.  
*Policy and Resources Committee.*

Residential and business parking scheme, Stopford Road area, St. Helier: fees. P.141/2003.  
*Deputy G.P. Southern of St. Helier.*

Château La Chaire, Rozel, St. Martin: restoration of gardens. P.142/2003.  
*Connétable of St. Helier.*

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

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

In accordance with Standing Order 22(3), the President of the Housing Committee has instructed the Greffier of the States to withdraw the proposition regarding Bas du Mont Flats, Pier Road, St. Helier: sale to the Christians Together in Jersey (CTJ) Housing Trust, (P.135/2003 (*re-issue*) lodged “au Greffe” on 30th September 2003), which was set down for consideration at the current meeting.

THE STATES are asked to agree that the following matters lodged “au Greffe” be considered at their next meeting on 4th November 2003 -

A Tobacco Strategy for Jersey. P.109/2003.  
Lodged: 15th July 2003.  
*Health and Social Services Committee.*

A Tobacco Strategy for Jersey (P.109/2003): comments. P.109/2003.  
Presented: 9th September 2003. Com.  
*Finance and Economics Committee.*

A Tobacco Strategy for Jersey (P.109/2003): comments. P.109/2003.  
Presented: 23rd September 2003. Com.(2)  
*Employment and Social Security Committee.*

A Tobacco Strategy for Jersey (P.109/2003): amendments. P.109/2003.  
Lodged: 5th August 2003. Amd.  
*Senator E.P. Vibert.*

A Tobacco Strategy for Jersey (P.109/2003): second amendment. P.109/2003.  
Lodged: 19th August 2003. Amd.(2)  
*Deputy A. Breckon of St. Saviour.*

Jersey Legal Information Board: introduction of ‘user pays’ charges. P.139/2003.  
Lodged: 7th October 2003.  
*Finance and Economics Committee.*

Draft Transfer of Functions (Policy and Resources Committee) P.140/2003.  
(Jersey) Act 200-.  
Lodged: 14th October 2003.  
*Policy and Resources Committee.*

Residential and business parking scheme, Stopford Road area, P.141/2003.  
St. Helier: fees.  
Lodged: 14th October 2003.  
*Deputy G.P. Southern of St. Helier.*

Château La Chaire, Rozel, St. Martin: restoration of gardens. P.142/2003.  
Lodged: 14th October 2003.  
*Connétable of St. Helier.*

Harbours and Airport Committee: Vote of No Confidence.

P.143/2003.

Lodged: 21st October 2003.

*Senator E.P. Vibert.*

*(In accordance with Standing Order 18B, the States are required to debate a proposition of no confidence at the next meeting following that on which it was presented).*

**In accordance with Standing Order 17(6), the following Paper is deemed to have been withdrawn -**

Machinery of Government: composition and election of the States Assembly.

P.186/2002.

Lodged: 8th October 2002.

*Special Committee on the Composition and Election of the States Assembly.*

## **F. PRESENTATION OF PETITIONS**

## **G. QUESTIONS**

Senator E.P. Vibert will ask a question of the President of the Harbours and Airport Committee regarding the operation of the Jersey-St. Malo car ferry route.

The Deputy of St. John will ask questions of the President of the Harbours and Airport Committee regarding the operation of the Jersey-St. Malo car ferry route.

Senator P.V.F. Le Claire will ask a question of the President of the Harbours and Airport Committee regarding the operation of the Jersey-St. Malo car ferry route.

The Deputy of St. John will as a question of the President of the Economic Development Committee regarding the operation of the Jersey-St. Malo car ferry route.

Senator E.P. Vibert will ask a question of the President of the Environment and Public Services Committee regarding the Connex bus service.

Deputy R.G. Le Hérisier of St. Saviour will ask a question of the President of the Employment and Social Security Committee regarding youth unemployment.

The Deputy of St. John will ask a question of the President of the Education, Sport and Culture Committee regarding career assistance for young people.

Deputy G.C.L. Baudains of St. Clement will ask questions of the President of the Housing Committee regarding housing developments in St. Clement.

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Finance and Economics Committee regarding 'first-time' buyers.

The Connétable of St. Helier will ask a question of the President of the Health and Social Services Committee regarding the proposed construction of a nursing home and day care centre at Belle Vue, St. Brelade.

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Economic Development Committee regarding the use of the Howard Davis Farm, Trinity.

Deputy G.P. Southern of St. Helier will ask questions of the President of the Finance and Economics Committee regarding sales tax and income distribution.

The Deputy of St. John will as a question of the President of the Economic Development Committee regarding the Jersey Herd.

**H. MATTERS OF PRIVILEGE**

**I. PERSONAL STATEMENTS**

**J. COMMITTEE STATEMENTS**

**K. PUBLIC BUSINESS**

School milk: provision for the years 2003, 2004 and 2005. P.7/2003.  
Lodged: 28th January 2003.  
*Deputy G.P. Southern of St. Helier.*

School milk: provision for the years 2003, 2004 and 2005 (P.7/2003) - P.7/2003. Com.  
comments.  
Presented: 18th February 2003.  
*Economic Development Committee.*

School Milk: provision for the years 2003, 2004 and 2005 P.7/2003. Com.  
(P.7/2003) – comments. (3)  
Presented: 21st October 2003.  
*Finance and Economics Committee.*

Succession Rights for children born out of wedlock. P.121/2003.  
Lodged: 12th August 2003.  
*Legislation Committee.*

Draft Protection of Children (Amendment No. 3) (Jersey) Law 200. P.133/2003.  
Lodged: 16th September 2003.  
*Legislation Committee.*

Draft Transfer of Functions (Environment and Public Services P.134/2003.  
Committee) (No. 2) (Jersey) Act 200.  
Lodged: 23rd September 2003.  
*Environment and Public Services Committee.*

Draft The Lloyds TSB (Jersey) Law 1997 (Appointed Day) (No. 3) P.136/2003.  
(Jersey) Act 200-  
Lodged: 7th October 2003.  
*Finance and Economics Committee.*

Le Rocquier School, St. Clement: redevelopment Phase 2- P.138/2003.  
construction of new school – approval of drawings.  
Lodged: 7th October 2003.  
*Education, Sport and Culture Committee.*

**A.H. HARRIS**  
**Deputy Greffier of the States**

16th October 2003



## QUESTION PAPER

(See Item G)

Senator E.P. Vibert will ask the following question of the President of the Harbours and Airport Committee -

“Would the President inform members -

- (a) of the exact amount of dues due to the Island by Emeraude Lines when the ordre provisoire was served, how long the various amounts making up the whole amount had been outstanding, and the normal trading terms applying to commercial operators at the Harbour?
- (b) of the total amount of outstanding dues beyond normal credit terms due to the States by other commercial operators at the time of the serving of the ordre provisoire, the names of those debtors and the amounts concerned, as well as the length of time each amount was overdue beyond normal credit terms?
- (c) of the total amount of outstanding dues beyond normal credit terms due to the States by Airport commercial operators as at the end of the last monthly accounting period, the names of those debtors and the amounts concerned, as well as the length of time each amount was overdue beyond normal credit terms?
- (d) whether the reason for granting Condor a licence on the Jersey St. Malo route was because the Committee feared that Emeraude might be in financial difficulties and it wanted to ensure that the St. Malo-Jersey run was not left without a service; if so, would the President explain how that could have been possible, considering the presence of Condor on the Channel Island routes; if the answer is in the negative, would the President inform members why a licence was granted to Condor when it was known that Emeraude's position was financially unsound and that the granting of such licence would further weaken that company's position?”

The Deputy of St. John will ask the following questions of the President of the Harbours and Airport Committee -

“1. With regard to harbour dues, would the President inform members –

- (a) whether the Committee is considering reducing harbour landing dues for this winter, and, if so, by how much? and,
  - (b) whether the Committee intends to approach the Tourism Development Fund to assist in reducing landing dues at the harbour, and, if not, the reasons for this?
2. With regard to the current situation regarding Emeraude Lines' financial difficulties, will the President inform members –
- (a) whether the Committee will be working closely with the French Court representative in a manner that will benefit all the Emeraude employees, travelling public and Harbours Department? and,
  - (b) following receipt by all members of an open letter from a member of the public with reference to harbour dues, would the President advise whether he has responded to that letter, and, if so, whether he will be copying the response to members and if not, why not?
3. With regard to the Jersey-St. Malo ferry route, would the President inform members –
- (a) of the Committee's reasons for opening up the route to two operators earlier this year?

- (b) whether it is the Committee's intention of re-instating the Jersey-St. Malo route to a single operator, and, if not, the reasons for this? and,
  - (c) whether a service level agreement is to be put in place for all commercial operators who service the Jersey-St. Malo route, and, if not, the reasons for this?
4. Will the President inform members –
- (a) whether the Harbour Authorities, at the time of the seizure of Solidor V, had been holding meaningful talks with the French Administrator appointed by the Tribunal de Commerce in France to run Emeraude Lines' affairs, and , if not, the reasons why? and,
  - (b) whether the French Administrator was present at discussions with the management of Emeraude Lines immediately following the seizure of Solidor V, and, if not, at what time during negotiations was the Administrator brought into the discussions and the reasons for this delay?"

Senator P.V.F. Le Claire will ask the following question of the President of the Harbours and Airport Committee -

“Would the President inform members –

- (a) the cost of accommodating stranded passengers in local hotels after the decision was made to impound Emeraude Lines' vessel Solidor V?
- (b) from which Committee's budget the foregoing accommodation costs were provided, and under whose authority such expenditure was sanctioned?
- (c) what other costs were incurred, if any, other than those relating to accommodation and from what source funding has been made available?
- (d) whether the Committee is aware of any expressions of interest in Emeraude Lines which have been made by other local ferry companies to the Administrateur Judiciaire, and, if so, would the President provide details?"

The Deputy of St. John will ask the following question of the President of the Economic Development Committee -

“With regard to the Jersey-St. Malo ferry route, would the President inform members whether the Committee is considering providing assistance to Emeraude Lines in trying to restructure its operation?"

Senator E.P. Vibert will ask the following question of the President of the Environment and Public Services Committee -

“Would the President inform members of the fare revenue for August and September achieved by Connex Transport Jersey Limited in the operation of the bus service?"

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

“(a) Would the President state how many young people at or below the age of 25 are registered as unemployed at present, and is the Committee satisfied that this number is an accurate reflection of the real situation in regard to youth unemployment?"

- (b) What measures, if any, are in place to deal with youth unemployment and how effective are these measures proving?"

The Deputy of St. John will ask the following question of the President of the Education, Sport and Culture Committee -

- “(a) As a number of young people have left school and gone out into the workplace but have been unable to obtain employment, what preparations has the Committee put in place to help young people wishing to return to full-time education or to assist them to obtain a job placement?
- (b) With the apparent reduction in the number of jobs in the finance industry, what steps is the Committee taking to encourage young people into other careers, such as nursing, engineering and other manual trades?”

Deputy G.C.L. Baudains of St. Clement will ask the following questions of the President of the Housing Committee -

- “1. Would the President –
  - (a) confirm the undertaking he gave at a meeting of St. Clement parishioners on 30th September 2003, namely that the Committee will sell 139 three-bedroom houses from the Le Squez Estate, and 53 three-bedroom houses from the redeveloped Le Marais low rise to first time buyers?
  - (b) confirm that the refurbishment of Le Squez Estate will increase the number of bedrooms there from 589 to 691, namely 416 for sale and 275 for States rental?
  - (c) advise members whether the Committee expects the profit from the Le Squez re-development sales to fund the whole estate’s redevelopment?
  - (d) explain why the Committee did not consult with the Parish regarding the allocation of social rented and first time buyer homes on St. Clement’s rezoned sites and will he give a commitment to do so in future? and,
  - (e) confirm whether Field No. 40, St. Clement is part of an agreement involving a field in St. Ouen whereby all of the former is to be developed for social rented accommodation thereby avoiding the 45/55 per cent split with first-time buyer properties?
- 2. Will the President explain the funding mechanism for building social rented housing on Hodge 2 and Field No. 40, St. Clement?”

Deputy G.C.L. Baudains of St. Clement will ask the following question of the President of the Finance and Economics Committee -

- “Will the President advise whether the Committee has a strategy to assist first-time buyers who become trapped in negative equity situations with their lenders?”

The Connétable of St. Helier will ask the following question of the President of the Health and Social Services Committee -

- “Following the decision of the States dated 18th September 2003, in which, as part of the States Resource Plan 2004-2008, they approved capital expenditure of £3,819,000 for 2004, and approved in principle capital expenditure for 2005 of £2,804,000, to enable the construction of a 28-bed nursing home and day



care centre at Belle Vue, St. Brelade, would the President undertake to prepare and present to the States a full business case to support the development of the residential nursing home and day care centre, and to include in the business case an examination of the alternative means of providing a similar number of residential nursing beds, before he presents to the States for approval the drawings relating to this project?"

Deputy G.C.L. Baudains of St. Clement will ask the following question of the President of the Economic Development Committee -

"Would the President inform members which functions the Committee intends to relocate to the Howard Davis Farm, and whether these proposals conform with the 1927 Deed of Gift by Mr. Davis, namely that the property is to be used as '..... une ferme d'expériences pour le développement de l'étude de l'agriculture et pour l'instruction en cette science de jeunes Jersias et autres personnes intéressées'."

Deputy G.P. Southern of St. Helier will ask the following questions of the President of the Finance and Economics Committee -

"1. In the document 'Social Trends', Edition No. 33:2003, produced by the U.K. Office for National Statistics, it is revealed that the percentage of disposable income paid out in indirect taxes in the UK rises from 16 percent for top earners to 33 percent for those on the lowest incomes.

Will the President inform members whether the introduction of a sales tax in Jersey, as outlined in his presentation to members on 8th October 2003, will inevitably have greatest impact upon those on low incomes?

2. (a) Does the President accept that the data revealed in Table 9 of the Jersey Income Distribution Study 2002 prepared by the Statistics Unit of the Policy and Resources Department, summarised below, demonstrates that our current tax and benefit system fails to compensate for the high cost of housing in the island, pushing the poorest households into greater relative poverty?

Composition of household weekly income by quintile group (after housing costs) -

	Bottom 20%	Top 20%	Ratio (top / bottom)
Pre-benefit income	£245	£1,703	6.9
Net income (after housing costs, benefits & tax)	£154	£1,361	8.8

(b) What changes to the tax and benefits system does the President propose in order to remedy this situation in the short term?

3. The Jersey Income Distribution Study 2002 revealed that "the average pay of a full-time worker was about £480 per week". The equivalent figure of "average gross weekly earnings" taken from the New Earnings Survey of April 2002 from the Office for National Statistics for the UK is £462.60.

Is the President satisfied that the statement made at the presentation of 8th October 2003, that Jersey household incomes are between 45 percent and 70 percent higher than the U.K., is accurate?"

The Deputy of St. John will ask the following question of the President of the Economic Development Committee -

- “(a) Would the President confirm that the status of the Jersey breed as a closed herd for 240 years has been an important factor in the recent submissions defending the milk importation licensing scheme?
- (b) Has a risk analysis been undertaken by the Committee or the Industry on the likely effect of the importation of semen on the licensing scheme? If the answer is yes, what was the result?
- (c) Is the Committee satisfied that all the members of the Industry are fully aware that one of the possible serious consequences of importing semen would be the removal of one of the pivotal arguments put forward in support of controlling milk importation, with potential serious consequences for the dairy industry?”