



THE STATES assembled on Tuesday,
22nd February, 1983 at 10.15 a.m.
under the Presidency of Senator Ralph
Vibert, O.B.E.

All members were present with the exception of –

Senator Richard Joseph Shenton – out of the Island.

Senator Bernard Thomas Binnington – out of the Island.

Senator John Philip de Carteret – out of the Island.

Senator John Stephen Rothwell – ill.

Leonard James Norman, Connétable of St. Saviour – out of the
Island.

Prayers.

**Committee for Postal Administration – appointment of
member.**

THE STATES appointed Deputy Michael Walter Bonn of
St. Peter as a member of the Committee for Postal Administration
in the place of the former Connétable of St. Helier, Mr. Peter
Gorton Baker.

**Fort Regent Development Committee – appointment of
President and Members.**

THE STATES, on the proposition of Senator John
Le Marquand, appointed Deputy Jack Roche of St. Saviour as
President of the Fort Regent Development Committee.

THE STATES, on the proposition of Deputy Roche, appointed
the following as members –

Deputy Sir Martin Le Quesne of St. Saviour

Deputy Helen Baker of St. Martin

Deputy Donald George Filleul of St. Helier

Deputy Richard Francis O'Connor of St. Clement

Deputy Bertram Manning Le Maistre of St. Mary

Deputy Michael Adam Wavell of St. Helier.

Agricultural Loans Report for 1982. R.C.8/83.

The Agriculture and Fisheries Committee by Act dated 9th February, 1983, presented to the States a Report on the Agricultural Loans and Guarantees Fund for the year ending 31st December, 1982 and commenting on the operation during 1982 of the Agriculture (Loans and Guarantees) (Jersey) Law, 1972 and the Agriculture (Loans) (Jersey) Regulations, 1974, as amended.

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

Dwelling Houses Loan Fund Statement 1982. R.C.9/83.

The Housing Committee by Act dated 18th February, 1983, presented to the States a Statement showing the financial position of the Dwelling Houses Loan Fund as at 31st December, 1982.

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

Matters lodged.

The following subjects were lodged “au Greffe” –

1. **Draft Maincrop Potato Marketing Scheme (Amendment No. 3) (Jersey) Act, 198 . P.21/83.**
Presented by the Agriculture and Fisheries Committee.
2. **Temporary Development Permits. P.22/83.**
Presented by Deputy Terence John Le Main of St. Helier. The States referred the Proposition to the Island Development Committee.
3. **Purchase of Aviation (Jersey) Ltd. site at Rue des Pres. P.23/83.**
Presented by Deputy Terence John Le Main of St. Helier. The States referred the Proposition to the Island Development Committee.

4. Road Traffic Legislation: Amendment to amendments. P.24/83.

Presented by the Defence Committee.

Amendments to Road Traffic Legislation: paragraph (b). P.82/82.

THE STATES acceded to the request of Deputy Terence John Le Main of St. Helier that his Proposition regarding Amendments to Road Traffic Legislation – paragraph (b) (lodged on 8th June, 1982) be considered on 15th March, 1983.

Victor Hugo site at Grève d’Azette. Questions and answers.

Deputy Anthony John Perkins of St. Clement asked Senator Jane Patricia Sandeman, President of the Housing Committee, the following questions –

- “1. Can the President confirm that a feasibility study has been carried out on the possible use of the Victor Hugo site at Grève d’Azette for housing development?
2. If the answer is in the affirmative, what was the cost of this study?
3. Will the President give the House details of the type of housing development envisaged for the site?”

The President of the Housing Committee replied as follows –

“I am surprised that the Deputy, as a Member of the Island Development Committee, is not already aware of the answers to his questions, which are as follows –

1. In August of last year the Presidents of the Housing, Policy Advisory, Tourism and Island Development Committees met with the Chairman of Ann Street Brewery Limited to discuss the future of the Victor Hugo site. Following from those discussions, it was agreed that the Housing Committee would undertake

a study to determine the financial implications of developing the site for residential purposes. In view of –

- (a) the potential cost of the site;
- (b) the importance of achieving a fairly high density;
- (c) the need to determine any abnormal costs, e.g. due to ground conditions; and
- (d) the importance of the site from an environmental planning point of view;

the Consultants employed in connexion with the Island Plan Review were commissioned to undertake a detailed feasibility study. The results of that study were presented at a joint meeting of the Housing and Island Development Committees on 11th February. If the site is developed for residential purposes, the scheme will be designed by local architects.

2. The final cost of the study is not yet known but it will not exceed £10,000. In view of the potential acquisition and development costs, this represents no more than prudent housekeeping. Indeed, it would have been grossly negligent of the Committee to proceed in the absence of such a study.
3. Any housing development would be of the ‘low rise’ type.”

Lost property at Police Headquarters. Questions and answers.

Deputy Terence John Le Main of St. Helier asked Senator John William Ellis, President of the Defence Committee, the following questions –

- “1. Does the President realise that there is public concern over the Defence Committee’s procedural policy for dealing with lost and found property handed in to the police?

2. Does the President not agree that 28 days after found property is handed in and the honest finder is then given 14 days to claim whatever he or she has found is an insufficient period of time for persons who have lost their property to reclaim what is rightfully theirs, taking into consideration that people might be on holiday, out of the Island on business, ill or in hospital or might not have noticed immediately that articles are missing, particularly when elderly people are concerned?
3. Can the President inform the House how lost property is disposed of, by auction, sold to anyone, or otherwise?
4. Is the President happy that the proceeds arising from people's misfortunes should go to the Treasury and not to a locally nominated charity?
5. Can the President tell the House what sum has been realised by the Treasury arising from cash and goods which were lost then handed in and subsequently sold during the last five years?"

The President of the Defence Committee replied as follows –

- “1. I have no reason to believe that there is, in fact, any public concern, and I am advised by the Police that no dissatisfaction whatsoever has been expressed.
2. No, I do not accept that the lapse of 1 month is an insufficient period of time before the property can be returned to the finder. The receipt issued to the finder clearly states, and I quote: ‘If the property is not claimed by the owner it will be returned to you after a period of 1 month, or it may in certain circumstances be extended..... This will not affect the legal title of the property should the owner subsequently claim it.’

If the property is of high value or thought likely to be claimed, it would be the subject of Police circulation and retained for some months. The procedures followed by the States Police are

identical to those followed by the Guernsey Police and the United Kingdom Forces.

3. Lost property not claimed by either the loser or the finder is disposed of in accordance with the provisions as set out in the Police Force (Disposal of Property) (Jersey) Regulations, 1975. This enables property to be sold by auction, which usually takes place once a year. Perishable foodstuffs are normally distributed to charitable homes.
4. Yes, I am satisfied with the present arrangement. The physical running of the Lost and Found Property Department is undertaken by a full-time civil servant under the supervision of the Police.

The administrative and postage costs are high, and the Department therefore operates at a loss. However, this is a service to the public and remains important in the field of Police/public relations. It is only right that the small income received should be credited to States revenue.

It must be pointed out that there is no obligation on the finder to deposit found property with the Police. His only obligation is to take reasonable steps to try to establish the identity of the loser. This can be done by notifying the Police, but retaining possession of the property, (Jersey Evening Post, J.M.T., Fort Regent and the Market operate their own Lost and Found Property procedures).

5. The under-mentioned amounts have been credited to Revenue Vote R.221 during the past 5 years:—

1978	£900.58
1979	£554.93
1980	£736.05
1981	£620.05
1982	<u>£835.56</u>
Total	<u>£3,647.17</u> ”

Island Development Committee – vacancy. Question and answer.

Deputy Terence John Le Main of St. Helier asked Deputy Norman Stuart Le Brocq of St. Helier, President of the Island Development Committee, the following question –

“Can the President of the Island Development Committee tell the House when he proposes to nominate a member to fill the vacancy on his Committee caused by the resignation in May, 1982 of Senator J.P. de Carteret?”

The President of the Island Development Committee replied as follows –

“The major delay in filling this vacancy has occurred because I had invited a member to serve on the Committee. He asked me to delay my invitation for personal reasons while showing interest in joining the Island Development Committee. I respected the reasons he gave for delay and left the matter open for his decision. I have now told him that I must fill the vacancy in the near future and that I will do.”

Jersey Motor Transport Co. Ltd. – concessionary fares for old age pensioners. Question and answer.

Deputy Corrie Stein of Grouville asked Senator John William Ellis, President of the Defence Committee, the following question –

“In view of the public announcements by the Jersey Motor Transport Company Limited that they are abandoning the concessionary fares for old age pensioners, will the President inform the House what action the Defence Committee is taking to try and introduce an alternative scheme?”

The President of the Defence Committee replied as follows –

“The Defence Committee discussed this matter with representatives of the J.M.T. at the public meeting held on 14th February, 1983, to hear submissions relating to

the J.M.T.'s application for fare increases in 1983, and a further meeting is to be held with the J.M.T. on 24th February, 1983. The view of the Defence Committee that it is opposed to the abandonment of concessionary fares for Old Age Pensioners has already been publicly stated. It must be stressed however, that the Defence Committee has no statutory control over concessions granted by the J.M.T. With regard to an alternative scheme the J.M.T. has already made public the fact that it wishes to introduce a scheme whereby concessionary fares would be given to persons in need. Applications for concession passes would be made through the Parishes and passes would be granted on their recommendation. The Defence Committee has expressed the view that the existing concessionary fares for Old Age Pensioners should be continued and that in addition, steps should be taken to assist persons in need. That is the present position. It is unfortunate that the Deputy did not attend the Public Meeting, thus depriving the Defence Committee, the J.M.T. and the media of the benefit of hearing her views on this very important matter. As has been stated further discussions will be held with the J.M.T. on 24th February, 1983, and I do not wish to prejudice those discussions by commenting further at this time."

Parishes payment to J.M.T. for concessionary fares for old age pensioners. Question and answer.

Deputy Corrie Stein of Grouville asked Mr. John Philip Pirouet, Connétable of St. Ouen, Chairman of the Committee of Connétables, the following question –

"Will the Connétables consider the possibility of each Parish paying the J.M.T. an appropriate amount in relation to the number of men and women over pensionable age in each Parish so as to enable such persons automatically to receive concessionary fares on J.M.T. buses as an alternative to the suggested method of using the welfare system which would have the effect of divulging a person's means to a private company and to the public?"

The Chairman of the Committee of Connétables replied as follows –

“I have made arrangements so that the Connétables can discuss at the next meeting of the Committee the matter raised by the Deputy of Grouville. It should be borne in mind, however, that if it was felt that an amount should be paid to the J.M.T. so that Parishioners over pensionable age automatically received concessionary fares, this could not be done unless such payment was approved by the Parish Assembly.”

J.M.T. – concessionary fares for visiting U.K. old age pensioners. Question and answer.

Deputy Corrie Stein of Grouville asked Deputy Alfred Durell Le Brocq of St. John, Vice-President of the Tourism Committee, the following question –

“Will the Tourism Committee consider discussing with the J.M.T. the introduction of a system whereby visiting old age pensioners from the United Kingdom can receive the same concessionary fares on the buses as local old age pensioners, in the same way as local pensioners can receive such fares when travelling on public transport in the United Kingdom.”

The Vice-President of the Tourism Committee replied as follows –

“In the United Kingdom Local Authorities are empowered to introduce concessionary fares for old age pensioners who use public transport. Some Local Authorities provide free transport, others do not grant any concessions. The concessions are restricted to public transport operating within the area controlled by the Local Authority. An old age pensioner is not entitled to concessionary fares on buses that are operated under the aegis of a Local Authority outside of the Borough in which he resides.

As concessionary fares for Jersey old age pensioners are to be restricted to those recommended by the Connétables of the Parishes, it would not be possible to introduce a scheme that would ensure that only visiting old age pensioners, in need of reduced fares, secure them.

For the above reasons the Tourism Committee does not consider that any useful purpose would be achieved in seeking discussions with the Jersey Motor Transport Co. Ltd. to secure concessionary fares for visiting old age pensioners from the United Kingdom.”

Family Allowances (Jersey) Regulations, 1983.

THE STATES, in pursuance of Articles 7 and 21 of the Family Allowances (Jersey) Law, 1972, as amended, made Regulations entitled the Family Allowances (Jersey) Regulations, 1983.

New Central Library: purchase of Halkett Place School site.

THE STATES, having rejected the proposition of Deputy John Le Gallais of St. Saviour that the Proposition be referred back to the Committee, adopted a Proposition of the Education Committee and –

- (a) rescinded their Act of 16th June, 1981 which approved in principle the provision of a new Central Library for the Public Library Service on a site in States ownership in the Dumaresq Street area;
- (b) approved the purchase of the Halkett Place School site shown hatched on Drawing No. E.D.1/83 from the Trustees of the Jersey National and St. Helier's Parochial School for a consideration of £275,000 for the realty, on the basis of the States paying the legal expenses of both sides, for development as a new Central Library;
- (c) authorised the Attorney General and the Greffier of the States to pass the necessary contract in the matter;
- (d) authorised the Treasurer of the States to pay a sum sufficient to meet the costs of purchase and legal expenses from the Capital Vote of Credit granted to the Committee under the heading “Central Library” (Vote No. C.0518).

Waterworks Company: Amendment of Articles.

THE STATES, adopting a Proposition of the Finance and Economics Committee, invited The Jersey New Waterworks Company Limited to amend its Articles of Association so as to provide –

- (a) for the special voting rights on a poll of the “A” Ordinary Shares issued to the States;
- (b) for the States to be represented at any meeting of the Company or at any meeting of any class of Shareholders of the Company by the Greffier of the States, the Deputy Greffier of the States or any Officer appointed to discharge the functions of the Office of Greffier under Article 5 of the Departments of the Judiciary and the Legislature (Jersey) Law, 1965;
- (c) that the number of Directors of the Company should not exceed seven, four of whom shall be appointed and removed by the States of Jersey and three of whom shall be appointed by holders of all Shares in the Company save and except the States;
- (d) for the appointment and retirement of the four Directors to be appointed by the States;
- (e) that the power given to Directors to appoint an alternate Director be amended to exclude such power from the four Directors to be appointed by the States;
- (f) that the quorum of the Board should be three Directors, two of whom must be States’ appointees and the other to be a Director appointed by the remaining Shareholders;
- (g) that in respect of the appointment of the Chairman and Deputy Chairman of the Board the Directors appointed by the States shall be in the majority when such appointments are made.

Royal Court Road, St. Helier.

THE STATES rejected a Proposition of Deputy Norman Stuart Le Brocq of St. Helier that –

- (a) the Public Works Committee be charged to take the necessary action to extinguish the Royal Court Road and to pave it so that it became part of the Royal Square; and
- (b) to find alternative parking spaces for those persons who are entitled to park in the Royal Court Road.

Members present voted as follows –

“Pour” (16)**Senator**

Le Marquand.

Connétables

St. Ouen, St. John, St. Lawrence, St. Martin, St. Peter, St. Helier.

Deputies

Perkins(C), Le Gallais(S), Le Brocq(H), St. Martin, St. Peter, Le Fondré(L), Grouville, Thorne(B), Wavell(H).

“Contre” (26)**Senators**

Jeune, Averty, Sandeman, Horsfall, Ellis, Baal.

Connétables

St. Mary, Grouville, Trinity, St. Brelade, St. Clement.

Deputies

Mourant(H), Morel(S), St. John, Quenault(B), Roche(S), Le Quesne(S), Trinity, Filleul(H), Vandervliet(L), O’Connor(C), Farley(H), Rumboll(H), Buesnel(H), St. Mary, Blampied(H).

Misuse of Drugs (Amendment) (Jersey) Law, 1983.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Misuse of Drugs (Amendment) (Jersey) Law, 1983.

Le Coin Flats, Ann Street: improvements and repairs.

THE STATES, adopting a Proposition of the Housing Committee –

- (a) approved Drawing No. 2426/24 showing proposed improvements to the entrance, staircase and general circulation areas, improved stairs lighting and the installation of an entry phone system at the Le Coin Flats, Ann Street, St. Helier;
- (b) authorised the Greffier of the States to sign the said Drawing on behalf of the States.

THE STATES rose at 3.55 p.m.

E.J.M. POTTER,

Greffier of the States.