

Price : 75p

THE STATES assembled on Tuesday,  
16th May, 1989 at 10.15 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 Richard Joseph Shenton -  
absent.  
Senator Terence John Le Main - out of  
the Island.  
Senator Peter Geoffrey Kevitt Manton -  
absent.  
Margaret Sylvia Rose Beadle, Deputy of  
St. Brelade - ill.  
Thomas James Jordan, Deputy of St.  
Brelade - out of the Island.  
Patricia Ann Bailhache, Deputy of St.  
Helier - out of the Island.

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Prayers

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Deputy M.S.R. Beadle of St.  
Brelade.

The Bailiff informed the States  
that Deputy Beadle was recovering after an  
operation and that he would convey to her  
the best wishes of the Assembly for a  
speedy recovery.

Distinguished visitors.

The Bailiff welcomed to the  
Assembly Messrs. Doug Coe and Martin  
Bosteller from Washington, Bill Cross and  
Tony Turner from the United Kingdom and  
Anthony Cordle, all of whom were closely  
involved in the organisation of Prayer

Breakfasts in Parliamentary Assemblies in London and Washington.

Subordinate legislation tabled.

The following enactments were laid before the States, namely -

1. Post Office (Postal Orders) (Amendment No. 13) (Jersey) Order, 1989. R & O 7911.
2. Road Traffic (Public Parking Places) (Amendment No. 8) (Jersey) Order, 1989. R & O 7912.
3. Road Traffic (Saint Lawrence) (Amendment No. 10) (Jersey) Order, 1989. R & O 7913.
4. Italian Food Fair (Jersey) Order, 1989. R & O 7914.
5. Traditional Irish Fayre (Jersey) Order, 1989. R & O 7915.
6. Portuguese Food Fair (Jersey) Order, 1989. R & O 7916.

Prison Board Report 1988. R.C.9.

The Prison Board by Act dated 24th April, 1989, presented to the States the report of the Board for 1988.

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

Advisory Council for Sport, Leisure and Recreation: report from March 1988 to March 1989. R.C.10.

The Education Committee by Act dated 19th April, 1989, presented to the States a report on the activities of the Advisory Council for Sport, Leisure and Recreation for the period March 1988 to March 1989.

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

Dental benefit and services:  
introduction (P.117/87): report. P.60/89.

The Social Security Committee by  
Act dated 27th April, 1989, presented to  
the States a report on the introduction of  
dental benefit and services.

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

Matters noted - land transactions.

THE STATES noted an Act of the  
Finance and Economics Committee dated 28th  
April, 1989, showing that in pursuance of  
Standing Orders relating to certain  
transactions in land, the Committee had  
approved -

(a) as recommended by the  
Resources Recovery Board, the  
granting to the Parish of St.  
Helier of a servitude to allow the  
Parish to cross the 'Bie du Moulin  
de la Ville' for a nominal  
consideration of #10 with each  
side being responsible for the  
payment of its own legal fees and  
the Parish of St. Helier being  
responsible for any costs involved  
in accommodation works;

(b) as recommended by the  
Defence Committee, the leasing  
from Mr. Ronald Gasnier and Mrs.  
Anne Gasnier, née O'Hanlon, of the  
property Bel Air, Les Ametôts,  
Bagatelle Lane, St. Saviour, a  
fully-furnished four-bedroomed  
detached house, for a period of  
two years, with an option to  
renew, with effect from 1st May,  
1989, at a weekly rent of #180, to  
be reviewed at the end of the  
first year in line with the cost  
of living index, required for  
occupation by the Warrant Officer,  
Jersey Field Squadron (M);

(c) as recommended by the  
Education Committee, and in  
accordance with an Act of the  
States dated 24th January, 1989,  
the purchase of Adelheim Guest

House, St. Helier, required for use as a hostel for homeless teenagers, for the sum of #170,000, with the Committee being responsible for the payment of its legal fees;

(d) as recommended by the Establishment Committee, the leasing from Mr. Roy Huelin Vibert of the property No. 1 Baycroft Nurseries, St. Clement, for a further period of one year from 31st May, 1989, at an annual rent of #6,504, required for occupation by an essential employee appointed on a contract basis.

Matters lodged.

The following subjects were lodged "au Greffe" -

1. Draft Sea Fisheries (Size Limits) (Jersey) Regulations, 198 . P.58/89.  
Presented by the Agriculture and Fisheries Committee.
2. Draft Lodging Houses (Registration) (Amendment) (Jersey) Law, 198 . P.59/89.  
Presented by the Housing Committee.
3. Draft Amendment (No. 8) to Standing Orders Relating to Certain Transactions in Land. P.61/89.  
Presented by the Legislation Committee.

THE STATES decided to take the abovementioned subjects into consideration on 30th May, 1989.

The following subject was lodged on 2nd May, 1989 -

West of Albert Pier reclamation site: development. P.53/89.  
Presented by the Public Works Committee. The States decided to take this subject into consideration on 30th May, 1989.

The following subjects were lodged on 9th May, 1989 -

1. Draft Merchandise Marks (Amendment) (Jersey) Law, 198 . P.54/89.  
Presented by the Finance and Economics Committee.
2. Highlands College: residential accommodation. P.55/89.  
Presented by the Education Committee.
3. Les Quennevais School: central heating system. P.56/89.  
Presented by the Education Committee.

THE STATES decided to take the abovementioned subjects into consideration on 30th May, 1989.

4. Rezoning of land for category A housing. P.57/89.  
Presented by the Island Development Committee. The States decided to take this subject into consideration on 13th June, 1989.

Draft Lodging Houses (Registration) (Amendment) (Jersey) Law, 198 . P.170/88. Withdrawn.

THE STATES noted that the President of the Housing Committee had withdrawn the draft Lodging Houses (Registration) (Amendment) (Jersey) Law, 198 (lodged on 13th December, 1988) having lodged a revised draft Law (P.59/89) at the present Sitting.

Fernleigh, Gorey Village: acquisition of land. P.21/89. Withdrawn.

THE STATES noted that the President of the Housing Committee had withdrawn the Proposition relating to the acquisition of land at Fernleigh, Gorey Village (lodged on 14th February, 1989).

Marketing of Jersey agricultural

produce in the United Kingdom. Statement.

The President of the Agriculture and Fisheries Committee made a Statement in the following terms -

``Members will be aware that on Monday 8th May, a leading article on the above subject appeared in the Jersey Evening Post and contained the following paragraph -

^The Agriculture and Fisheries Committee, meanwhile, say that they will not become involved unless asked, because the issue is a commercial matter.'

The article then commented as follows -

^What nonsense! Do they need reminding that one of their roles is, or certainly should be, to act in the interests of the taxpayer?'

I would wish Members to know that the statement on policy attributed to my Committee is totally inaccurate and misleading and that at no time was I, the Vice-President or the Chief Officer of the Department contacted by the Jersey Evening Post in order to obtain a statement on Committee policy prior to the publication of the leading article.

The true position is that while the Committee recognises that it cannot get involved in the specialised day to day marketing of produce with the attendant instantaneous commercial decisions that have to be made, it does require that Jersey produce is marketed in such a way that the customer considers that he is buying from a united `Jersey' and cannot play one group of growers off against another in order to benefit himself at the growers' expense.

The Jersey Agricultural Marketing Federation exists in part to ensure that this does not happen and it was primarily for this reason that the Committee viewed with dismay an

earlier proposal by H. & H. to leave the Federation and 'go it alone'. The Committee felt that if that were to happen the result would almost certainly be to create the type of adverse internal competition referred to.

It is the Committee's opinion that competition between the marketing groups that leads to a better service being offered to the grower is desirable but that competition leading to lower market returns would be unacceptable.

The present situation with regard to the Jersey Agricultural Marketing Federation is that it is functioning as before but it is currently under review and the Committee is at present awaiting proposals from the two principal marketing groups which form the basis of the Federation and it expects to continue discussions at the end of the present potato season. In this regard the Committee is pleased to note that at this time there is considerable contact between the two marketing groups at a working level.

However, the Committee would wish it to be known by all concerned that it is determined to ensure, either through the Federation or, if necessary, by some other means that Jersey produce is marketed in a cohesive and unified manner providing the highest possible market returns for all exporting growers thus reducing their degree of reliance on the taxpayer for a reasonable income.

Finally I would wish to report that I and my Chief Officer have had the opportunity to meet wholesalers, retailers and customers from many areas of the United Kingdom in the last two weeks. There is undoubtedly an excellent demand for our product and unanimous agreement that the quality is exceptional as is borne out by over 6,000 tons already sold at what I can only describe as premium prices.

Given attention to our marketing strategy I believe that we can continue to market quality crops at the premium they deserve."

Fernleigh, Gorey Village:  
acquisition of land. Statement.

The President of the Housing Committee made a Statement in the following terms -

``In 1987 the States, at the request of the Island Development Committee, rezoned Fernleigh, Gorey Village, for category A housing. My Committee felt duty-bound to seek to acquire this site in order to construct ten States Loan houses. On three occasions we requested meetings with the landowners, but all such requests were denied. Our offer of purchase, based on a professional valuation, was rejected out of hand.

It was because of this inability to negotiate the acquisition of this site that my Committee felt it had no choice but to seek compulsory purchase powers from the States. However, on 26th April, 1989, information was received from the landowners' Advocate which was not known either to the Committee or my Department before. In 1975, a Review Board was appointed to consider a complaint by Mr. and Mrs. Brown against a decision of the Island Development Committee as to the manner in which they should develop the land in question. At the hearing, representatives of the Island Development Committee stated that that Committee `fully accepted that there could be no question of compulsory acquisition now or at any time in the future'. In its written findings, the Board referred in particular to `the fact that the Island Development Committee accepts unreservedly that `powers of compulsion shall not apply to the land'.

Although this particular case occurred fourteen years ago, my Committee now feels that in the light



of what almost amounts to an undertaking by another States' committee, it would not be right to ask the States to grant compulsory purchase powers in connexion with this site.

I regret any inconvenience or upset which may have been caused to Mr. and Mrs. Brown. But I am bound to say that I also regret their declining, on three occasions, our request to meet with them (the first of which in January of this year), at which meeting they could have imparted this important information which has only now been made available to me, and which would undoubtedly have caused my Committee not to seek compulsory purchase powers. We therefore do not intend to proceed with the Proposition P.21/89."

Le Squez, Youth Club: further development.

THE STATES, adopting a Proposition of the Education Committee -

(a) approved Drawings Nos. 2474/26, 2474/55, 2474/56, 2474/57, 2474/58, 2474/59 and 2474/70 showing the development of further youth facilities at Le Squez Youth Club;

(b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

Loi (1989) pour abroger la Loi (1907) touchant l'usage de timbres de commerce. P.23/89.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Loi (1989) pour abroger la Loi (1907) touchant l'usage de timbres de commerce.

Road Traffic (No. 33) (Jersey)  
Regulations, 1989. P.44/89.

THE STATES, in pursuance of the powers conferred on them by the Order in Council of the twenty-sixth day of December, 1851, and Article 49 of the Road Traffic (Jersey) Law, 1956, as amended, made Regulations entitled the Road Traffic (No. 33) (Jersey) Regulations, 1989.

Health Insurance (Medical Benefit)  
(Amendment No. 34) (Jersey) Regulations,  
1989. P.45/89.

THE STATES, in pursuance of Articles 18 and 46 of the Health Insurance (Jersey) Law, 1967, as amended, made Regulations entitled the Health Insurance (Medical Benefit) (Amendment No. 34) (Jersey) Regulations, 1989.

Dorset Street, St. Helier: Nos.  
12-20. P.46/89.

THE STATES, adopting a Proposition  
of the Housing Committee -

(a) approved Drawings Nos. 316/5C, 316/8 and 316/12 showing the demolition of Nos. 12, 12½, 14, 16, 18 and 20 Dorset Street, St. Helier, and the construction of seven terraced two-storey, two-bedroomed houses, each with external store and patio and shared parking to the rear;

(b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

79 Rouge Bouillon, St. Helier.  
P.47/89.

THE STATES, adopting a Proposition  
of the Housing Committee -

(a) approved Drawings Nos. 88/406/05B, 06A, 07A and 08 showing the refurbishment and conversion of 79 Rouge Bouillon, St. Helier, into four self-contained, one-bedroomed flats;

(b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

Use of former site of Maternity Hospital (Jersey) Law, 1989. P.51/89.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, made a Law entitled the Use of former site of Maternity Hospital (Jersey) Law, 1989.

Public employees: control of manpower. P.154/88.

THE STATES, adopting a Proposition of the Establishment Committee, agreed -

(1) that a manpower budgetary system, as set out in sub-paragraphs (a) to (d) of paragraph 4 of the report of the Establishment Committee, dated November 1988, should be instituted and that such a system should apply with effect from 1989; and

(2) that the growth of all jobs within the public sector, including those referred to in paragraph 3 of the said report, should be subject to the control of the Establishment Committee and that the necessary legislation should be introduced accordingly.

THE STATES rose at 11.35 a.m.

R.S. GRAY

Deputy Greffier of the States.