

**THE STATES assembled on Tuesday,
20th June 2000 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,
General Sir Michael Wilkes, K.C.B., C.B.E.,
was present**

All members were present with the exception of -

Senator Corrie Stein - out of the Island
Senator Stuart Syvret - out of the Island
Senator Paul Vincent Francis Le Claire - out of the Island
Kenneth Priaulx Vibert, Connétable of St. Ouen - out of the Island

Prayers

Senator P.F. Horsfall, O.B.E. - congratulations on award

The Bailiff, on behalf of all members, congratulated Senator Pierre François Horsfall on his appointment as an Officer of the Order of the British Empire.

Connétable of St. Martin - re-election

The Bailiff, on behalf of all members, congratulated Mr. John Baudains Germain on the re-election as Connétable of St. Martin.

Subordinate legislation tabled

The following enactments were laid before the States, namely -

Road Traffic (Saint Brelade) (Amendment No. 10) (Jersey) Order 2000 - R & O 49/2000.

Public Rank Taxis (Fares and Charges) (Jersey) Order 2000 -R & O 50/2000.

Cycle Tracks (Jersey) Order 2000 - R & O 51/2000.

Road Traffic (Grouville) (Amendment No. 16) (Jersey) Order 2000 - R & O 52/2000.

Road Racing (Hill Climbs) (Jersey) Order 2000 - R & O 53/2000.

Matters presented

The following matters were presented to the States -

Manpower Report for the period 1st July 1999 to 31st December 1999 - R.C.23/2000.

Presented by the Human Resources Committee.

Motor fuel duty (P.59/2000): comments - P.59/2000 Com.

Presented by the Policy and Resources Committee.

St. Helier Waterfront Hotel: petition (P.65/2000) - comments - P.65/2000 Com.

Presented by the Policy and Resources Committee.

De La Salle College, Beaulieu Convent School and FCJ Primary School: loans (P.84/2000) - comments - P.84/2000

Presented by the Policy and Resources Committee.

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

Jersey Financial Services Commission: annual report and accounts for 1999.

Presented by the Finance and Economics Committee.

Data Protection: report for 1999.

Presented by the Finance and Economics Committee.

Employment and Social Security Committee: annual report and accounts for 1999.

Presented by the Employment and Social Security Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 12th June 2000 recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

-

- (a) as recommended by the Public Services Committee, the purchase from the Jersey Electricity Company Limited of an area of land (measuring 5,012 square feet) at Queen's Road, St. Helier, required in order to widen part of Queen's Road to provide a new right-hand turning lane in the Company's site, for a consideration of £10, with the Company to be responsible for the cost of all accommodation works and for both parties' reasonable legal costs in relation to this transaction;
- (b) as recommended by the Agriculture and Fisheries Committee, the lease to Mrs. Alison Rebourg, née Matuszek, of Field No. 536, La Moye, St. Brelade (measuring 2.7 vergées), for a period of five years from 1st February 2000, at an annual rent of £325 payable half-yearly in advance, subject to annual rent reviews in line with the Jersey Retail Prices Index, the field to be used for bona fide agricultural purposes with the lessee to be responsible for maintenance and security of the field and with each party to be responsible for its own legal costs in relation to this transaction.

Matters noted - acceptance of tender

THE STATES noted an Act of the Finance and Economics Committee dated 12th June 2000, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the Housing Committee had accepted the lowest tender received for the demolition of the existing buildings on the Le Coie Hotel site, namely that submitted by Jersey Demolition Contractors in the sum of £259,600, in a contract period of 18 weeks, subject to the necessary funds being made available from the Housing Development Fund.

Matters lodged

The following matters were lodged "au Greffe" -

Draft Misuse of Drugs (Amendment No. 2) (Jersey) Law 200 - P.94/2000.

Presented by the Health and Social Services Committee.

Grainville School, St. Saviour: redevelopment Phase I - Science Block: approval of drawings - P.95/2000.

Presented by the Education Committee.

La Collette Reclamation Site Phase II - development framework - P.96/2000.

Presented by the Planning and Environment Committee.

Compensation of Victims of Uninsured Drivers of Motor Vehicles: Agreement between the Home Affairs Committee and the Motor Insurers' Bureau - P.97/2000.

Presented by the Home Affairs Committee.

Draft Electronic Communications (Jersey) Law 200 - P.98/2000.

Presented by the Policy and Resources Committee.

Employment legislation - P.99/2000.

Presented by the Employment and Social Security Committee.

Agricultural Loans and Guarantees Advisory Board: appointment of members - P.100/2000.

Presented by the Agriculture and Fisheries Committee.

Incorporation of Jersey Post and Jersey Telecoms: revised approach (P.90/2000) - amendment - P.101/2000.

Presented by the Deputy of Trinity.

Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 7) (Jersey) Regulations 200 - P.102/2000

Presented by the Human Resources Committee.

Draft Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 5) (Jersey) Regulations 200 - P.103/2000

Presented by the Human Resources Committee.

Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 7) (Jersey) Regulations 200 - P.104/2000

Presented by the Human Resources Committee.

Draft Public Employees (Contributory Retirement Scheme) (Amendment No. 16) (Jersey) Regulations 200 - P.105/2000

Presented by the Human Resources Committee.

The following matters were deemed to have been lodged on 13th June 2000 -

Draft Merchant Shipping (Deck Officers) (Jersey) Regulations 200 - P.91/2000.

Presented by the Harbours and Airport Committee.

Draft Merchant Shipping (Marine Engineer Officers and Marine Engineer Operators) (Jersey) Regulations 200 - P.92/2000.

Presented by the Harbours and Airport Committee.

St. Helier Waterfront leisure complex: revised terms of lease - P.93/2000.

Presented by the Finance and Economics Committee.

Arrangement of public business for the next meeting on 4th July 2000

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 4th July 2000 -

Incorporation of Jersey Post and Jersey Telecoms: revised approach - P.90/2000.

Lodged: 6th June 2000.

Policy and Resources Committee.

Incorporation of Jersey Post and Jersey Telecoms: revised approach (P.90/2000) - amendment - P.101/00.

Lodged: 20th June 2000.

Deputy of Trinity.

Draft Merchant Shipping (Deck Officers) (Jersey) Regulations 200 - P.91/2000.

Lodged: 13th June 2000.

Harbours and Airport Committee.

Draft Merchant Shipping (Marine Engineer Officers and Marine Engineer Operators) (Jersey) Regulations 200 - P.92/2000.

Lodged: 13th June 2000.

Harbours and Airport Committee.

St. Helier Waterfront leisure complex: revised terms of lease - P.93/2000.

Lodged: 13th June 2000.

Finance and Economics Committee.

Grainville School, St. Saviour: redevelopment Phase I - Science Block: approval of drawings - P.95/2000.
Lodged: 20th June 2000.
Education Committee.

La Collette Reclamation Site Phase II - development framework - P.96/2000.
Lodged: 20th June 2000.
Planning and Environment Committee.

Compensation of Victims of Uninsured Drivers of Motor Vehicles: Agreement between the Home Affairs Committee and the Motor Insurers' Bureau - P.97/2000.
Lodged: 20th June 2000.
Home Affairs Committee.

Draft Electronic Communications (Jersey) Law 200 - P.98/2000.
Lodged: 20th June 2000.
Policy and Resources Committee.

Agricultural Loans and Guarantees Advisory Board: appointment of members - P.100/2000.
Lodged: 20th June 2000.
Agriculture and Fisheries Committee.

Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 7) (Jersey) Regulations 200 - P.102/2000
Lodged: 20th June 2000.
Human Resources Committee.

Draft Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 5) (Jersey) Regulations 200 - P.103/2000
Lodged: 20th June 2000.
Human Resources Committee.

Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 7) (Jersey) Regulations 200 - P.104/2000
Lodged: 20th June 2000.
Human Resources Committee.

Draft Public Employees (Contributory Retirement Scheme) (Amendment No. 16) (Jersey) Regulations 200 - P.105/2000
Lodged: 20th June 2000.
Human Resources Committee.

1996 Civil Aviation Authority report - question and answer (Tape No.587)

The Deputy of St. Peter asked the Deputy of St. Mary, President of the Harbours and Airport Committee, the following question -

“The Civil Aviation Authority was invited by the Committee, as previously constituted, to conduct an inspection of Jersey Airport in 1996. Its report contained a Summary of Recommendations numbered 12 (a) to 12(u).

Would the President indicate how many of the recommendations have been implemented and how many have not and would he explain why they have not been?”

The President of the Harbours and Airport Committee replied as follows -

“Of the 21 recommendations, 18 have been implemented. The other three relate to the removal of buildings. The recommendations include the words ‘as soon as it is practical to do so’ and ‘whenever the opportunity arises in the future’. We are in negotiations with the owners and the recommendations will be implemented within those terms.”

Ill health retirement procedures for public employees - questions and answers (Tape No. 587)

Deputy Roy George Le Hérissier of St. Saviour asked the Deputy of Trinity, President of the Human Resources Committee the following questions -

- “1. Would the President advise members -
 - (a) how many public sector employees have retired early on medical grounds during the last five years?
 - (b) how many of these have been able to resume work in the public sector?
2. Does the Committee consider that there is a need to reform the current system of medical retirement and if so, what reforms does it propose?”

The President of the Human Resources Committee replied as follows -

- “1.(a) The number of medical retirements from the Teachers Superannuation Fund (TSF), and the Public Employees Contributory Retirement Scheme (PECRS), are as follows -

YEAR	TOTAL
1995	34
1996	41
1997	41
1998	43
1999	43
2000 (to date)	14
TOTAL	216

The average number of medical retirements over the period represent less than 0.6 per cent of the total number of contributory members; as a percentage of all retirements this is considered low and compares favourably with similar organisations in the United Kingdom.

- (b) Of the teachers who have been retired on medical grounds, seven have been re-engaged as supply teachers. These teachers are restricted in the amount of supply work which can be undertaken so that, in combination, the supply teaching earnings and pension do not exceed the previous salary. Of the other public employees none are known to have been re-engaged in the public sector on any sort of long term basis.
2. There are currently no plans to alter the medical retirement arrangements for members of the TSF.

Within PECRS consideration is being given to introducing a system of post retirement income review which would permit the PECRS Committee of Management to take account of earnings which arise from any employment subsequent to medical retirement, irrespective of whether that employment is within the public or private sector, locally or elsewhere.”

The President of the Human Resources Committee presented to members the following additional information -

There are two major schemes operating in the public sector which provide benefits in circumstances of early retirement due to ill-health. The Teachers Superannuation Fund (TSF), which is under the control of the Education Committee, and which is limited in its application to members of the teaching profession and which has approximately 970 contributory members, 580 deferred pensioners and 440 pensioners, and the Public Employees Contributory Retirement Scheme (PECRS), for which the Human Resources Committee has responsibility and which applies to all other public employees. There are approximately 6,010 contributors, 330 deferred pensioners and 2,370 pensioners in that scheme.

The number of medical retirements are as follows -

YEAR	TSF	PECRS
1995	3	31
1996	9	32
1997	9	32
1998	8	35
1999	9	34
2000 (to date)	4	10
TOTAL	42	174

Of those 42 teachers who have been retired on medical grounds, it is known that seven have been re-engaged as supply teachers. Of the 174 other public employees who have been retired on medical grounds none are known to have been re-engaged in the public sector on any sort of long term basis, however, it is possible that some may have been engaged on a short-term, casual basis.

The system of medical retirement for teachers is the responsibility of the Education Committee, and distinct from that for other public sector employees. It is understood that there are currently no plans to alter the arrangements for members of the TSF.

Insofar as the provisions of PECRS are concerned, a pension scheme member who, to the satisfaction of the employer, is incapable of discharging efficiently the duties of his employment by reason of permanent ill-health or disability of mind or body, can be medically retired.

The processes for determining the appropriateness of each case have been developed and refined over a number of years and are considered to be comprehensive and robust. Those processes require medical examinations by the States specialist Occupational Health providers, combined with input from the member's general practitioner and/or consultant, as appropriate. The Occupational Health physician makes recommendations, and signs a medical retirement certificate, which is considered by a specific Ill Health Sub-Committee appointed by the Committee of Management of the PECRS. That Sub-Committee also has access to the services of its own, independent, medical adviser. The Sub-Committee is comprised of four members, two drawn from the employer nominees on the main Committee, two from the member nominees. I am actually the Chairman of that Sub-Committee, and have been since its inception in the early 1990s. The other members of the Sub-Committee are Mr John Lees, the former Controller of the Jersey Social Security Department, former Deputy Mrs Evelyn Pullin and Miss Barbara Ward, Chairperson of the local branch of the Royal College of Nursing.

The Committee of Management can require a medical pension recipient to undergo subsequent medical examinations and, if the pensioner refuses such an examination, the Committee has the power to withhold, in whole or in part, that pension.

Where a medical examination identifies that a pensioner is able to efficiently perform duties which are compatible with his former employment, and an employer within the scheme offers such a position, the pension would cease from the date of re-entering employment. If the pensioner does not take up the offer of re-employment then, once again, the pension would cease.

Consideration is presently being given to introducing a system of post retirement income review which would permit the Committee of Management to take account of earnings which arise from any employment subsequent

to medical retirement, irrespective of whether that employment is within the public or private sector, locally or elsewhere.

There are specific safeguards built into the system for dealing with medical retirements. There is an established appeals process, which is available to either the employer or a member, and which ultimately provides for consideration by an independent tribunal which is comprised of two lay members, who have no links with the public sector, together with a chairman who is an Advocate of the Royal Court.

For members of the teachers scheme, it is the Education Committee which determines the appropriateness of granting a medical pension. Medical evidence from the States specialist Occupational Health provider is considered when making a determination.

Within the TSF, where a medically retired teacher is re-engaged on a supply basis, a teacher is restricted in the amount of supply work which they can undertake so that, in combination, the supply teaching earnings and pension do not exceed the previous salary.

Costs awarded against the Bâtonnier in a recent case - question and answer (Tape No. 587)

The Deputy of St. John asked Senator Frank Harrison Walker, President of the Finance and Economics Committee the following question -

“In a recent court case costs were awarded against the Bâtonnier in the sum of approximately £100,000. Would the President advise members what the costs of the Batonnier and his advisers were and who paid this account?”

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

“I regret that I am not able to provide an adequate response to the question raised at today’s meeting. I should, however, be in a position to provide the information requested at the next meeting of the States.”

Teachers’ superannuation fund - questions and answers (Tape No.587)

The Deputy of St. John asked Senator Leonard Norman, President of the Education Committee, the following questions -

- 1.(a) Would the President explain to members whether the Committee is empowered to enhance a teacher’s pension and give a lump sum enhancement to a teacher who resigns and, if so, is such action supported by both the unions and staff associations representing Jersey teachers?
- (b) if the answer to (a) is in the affirmative, has the Committee discussed with the teachers unions all enhancement packages awarded to teachers who have resigned during the last five years?
- (c) if the answer is in the negative, would the President explain why this is so?
- 2.(a) Would the President inform members whether an Education Committee vote is used to finance the aforementioned enhancement packages and lump sum payments or whether this money comes from another source such as the Teachers Superannuation Fund?
- (b) if the Teachers Superannuation Fund financed such payments, would the President advise whether this was done with the full support of the unions and the staff associations representing Jersey teachers?
3. Would the President advise members whether a teacher who is dismissed is still entitled to receive a pension?

- (a) Would the President undertake to hold a ballot of Island teachers to canvas their views on whether or not they wish to have independent trustees to administer their Superannuation Fund?
- (b) if the answer is in the negative, would he explain why, and if the answer is in the affirmative, would he give members an indication of when such a ballot would be held?

The President of the Education Committee replied as follows -

- “1.(a) Through the provisions of the Teachers’ Superannuation (Jersey) Order 1986, a teacher is entitled to receive both an enhanced pension and lump sum if, as a result of events occurring while he was last employed he has become incapacitated, provided he makes application for the allowance within six months after he was last employed in reckonable service.

These provisions within the Order constitute part of the terms and conditions of employment of teachers which are agreed with the teachers’ unions and associations.

- (b) No.
- (c) Each application is dealt with in accordance with the Order and treated in strict confidence.
- 2.(a) The cost of invalidity pensions and lump sums are met from the Jersey Teachers’ Superannuation Fund. The cost of index linking all pensions is charged to the Committee’s budget of revenue expenditure, vote 3070.
- (b) These provisions within the Order constitute part of the terms and conditions of employment of teachers which are agreed with by the teachers’ unions and associations.
- 3. Yes, but other than in cases of incapacity, the pension is deferred until the teacher reaches the age of 60. The Orders make no reference to how employment is terminated.
- 4.(a) No.
- (b) At present discussions are underway with a view to the transfer of the Jersey Teachers’ Superannuation Fund to the Public Employees Contributory Retirement Scheme which has an independent Board of Management.”

Measures to control rent - questions and answers (Tape No.587)

Deputy Judith Ann Martin of St. Helier asked Deputy Terence John Le Main of St. Helier, President of the Housing Committee, the following questions -

- “1. Would the President inform the Assembly if there are any plans in the future Housing strategy to introduce measures to allow the Committee to control the rents charged by landlords in both the qualified and unqualified housing sectors to ensure that excessive rents are not charged?
2. Would the President inform the Assembly if there are any plans in the future Housing strategy to take steps to freeze rents in public and private sectors as part of the overall battle to fight inflation?”

The President of the Housing Committee replied as follows -

- “1. With regard to the qualified housing sector the States, in July 1998, approved, in principle, the establishment of the post of Rent Officer as a replacement for the Rent Control Tribunal. The role of the Rent Officer would be to determine the fair rent for a residential property should either landlord or tenant make an application for assessment. Due to changes in the composition of the Housing Committee this proposal has not yet progressed to draft legislation. The matter will be the subject of further discussion at a meeting between the Rent Control Tribunal and the Committee next month.

With regard to unqualified housing the answer is ‘No’.

2. The Committee has no plans in the future Housing strategy to freeze rents in the public and private sector.”

Grant of consents by the Committee - questions and answers (Tape No.587)

Deputy Peter Nicholas Troy of St. Brelade asked Deputy Terence John Le Main of St. Helier, President of the Housing Committee the following questions -

- “1. Would the President detail the Committee’s current policy when applying the Housing Regulations to commercial sites which receive consent from the Planning and Environment Committee for conversion of all or any part of a site to residential housing units and would he inform members whether, in general, consents are being granted for occupation by persons qualified under Regulations 1(1)(j) or 1(1)(k)?
2. Would the President inform members whether it is within the power of the Committee to grant only 1(1)(a) to 1(1)(h) consents in respect of the Inn on the Park site, and, if so, would he assure this Assembly that consent to occupy any residential units built on site will only be given to residents qualified in the ‘(a) to (h)’ category under the Housing Regulations?”

The President of the Housing Committee replied as follows -

- “1. Consents granted by the Housing Committee under the Housing (Jersey) Law 1949, as amended, will generally include either the imposition of a condition stipulating that any units of dwelling accommodation that are created on the land shall be occupied by persons with local residential qualifications or, where a company has acquired land, a local occupancy condition is deemed to apply.

The above applies equally to residential or commercial sites. As a matter of policy, successive Housing Committees have, in the past, agreed a general policy irrespective of the above

conditions imposed that, where a commercial site is redeveloped for residential purposes, the occupation conditions are, in effect, 'extended' to incorporate persons qualifying within Regulations 1(1)(a)-(j), that is to include approved essential employees.

In September 1999, under the Presidency of Deputy S.M. Baudains of St. Helier, this policy was changed and apart from specific sites where the concession in writing had already been advised, all such redevelopments are, from that time, to revert to the local occupancy conditions. With the continuing shortage of residential accommodation available both for rent and purchase by locally qualified people, my Committee has no intention of changing this policy in the foreseeable future.

Consents under Regulation 1(1)(j) or 1(1)(k) are only granted for the occupation of property which carries the relevant occupancy condition, and where the Committee is satisfied that the relevant criteria relating to the applicant is met.

2. I understand that the site upon which the Inn on the Park is constructed was acquired by the current owners by way of dégrèvement by virtue of an Act of the Royal Court dated 25th February 1994. By virtue of Article 4(A) of the Housing (Jersey) Law 1949, as amended, which came into force on 9th June 1993, restrictions were placed as to classes of persons entitled to occupy any dwelling accommodation on the land at that time, or which is created on the land thereafter. Regulation 2(B) of the Housing (General Provisions) (Jersey) Regulations, 1970, as amended, sets out that the aforementioned condition refers to persons who would qualify within Regulation 1(1)(a)-(h) of the Regulations, that is, locally qualified persons.

The statutory condition imposed by Article 4A of the Housing Law stipulates that this accommodation cannot, without the consent of the Housing Committee, be occupied other than by persons who fall within the specified classes, that is, categories (a) to (h). My Committee has been advised by the Law Officers that if it receives any application by a person who does not qualify within Regulation (a) to (h), it must give proper consideration to every such application and exercise its discretion properly when determining it. For that reason I cannot assure the States in advance that consent to occupy residential units on the site will only be given to residents who qualify under categories (a) to (h). I can, however, assure members that it is the Committee's settled policy that such sites should be occupied by persons with local residential qualifications, and any application will be considered in the light of that policy."

Demolition of Janvrin's Farm, St. Brelade - questions and answers (Tape No. 587)

Deputy Peter Nicholas Troy of St. Brelade asked Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, the following questions -

- “1. Would the President give members details of the steps taken to date concerning the possible legal action against the developer responsible for the demolition of Janvrin's Farm, St. Brelade and would he inform members whether the Attorney General advises such action?
2. As the site is in the green zone, would the President advise whether the Committee is under any obligation to allow replacement of the demolished building?”

The President of the Planning and Environment Committee replied as follows -

- “1. The matter has been placed in the hands of H.M. Attorney General, and evidence is currently being collected to enable a decision to be made on possible legal action.

The decision as to whether or not to prosecute is for the Attorney General and I am not prepared to comment further.

2. No application to redevelop the Janvrin's Farm site has yet been made. If such an application were

made, the decision on that application will be taken having regard to all relevant considerations and policies including the fact that the site falls within the Green Zone.”

Don Road/Mont Millais junction - question and answer (Tape No. 587)

Senator Leonard Norman asked Deputy Alan Simon Crowcroft of St. Helier, President of the Public Services Committee, the following question -

- “(a) Will the President confirm that the Committee has approved changes to the Don Road/Mont Millais junction and does he agree that they are likely to increase traffic congestion significantly in the area?
- (b) Would the President explain the logic of this proposal bearing in mind the recent significant investment made by the States, particularly in the form of the school bus service and the Wellington Road gyratory system, to reduce traffic congestion in this vicinity?
- (c) Would the President agree to undertake full consultation with the parochial authorities of St. Helier and St. Saviour before such a proposal is implemented?”

The President of the Public Services Committee replied as follows -

- “(a) The Public Services Committee has approved changes to the Don Road/Mont Millais junction which are likely to increase vehicular traffic congestion by approximately seven per cent at certain times, with a possible increase in rush hour queue lengths of about 25 per cent, depending on pedestrian demands in the area.
- (b) On 29th June 1999 the States adopted, in principle, the Sustainable Island Transport Policy which gives higher priority to pedestrians, as required by the States’ Strategic Policy Review of 1995. Currently, pedestrians are not well served at this junction and the opportunity to improve the level of service to pedestrians is being taken when the obsolete signal equipment is replaced. The Wellington Road gyratory has improved the level of service for motorists, including school buses, who have been affected by the States decision to relocate Jersey College for Girls to the Mont Millais area. The improvements to this junction will offer a greater choice and improved level of service to those people living on Mont Millais or who will live in the new housing development on the old Postal Headquarters site, together with students attending the Colleges, to walk to and from town, along safe routes.
- (c) Consultation has already taken place with the Parish of St. Helier who have already supported the proposals in the full knowledge of the potential effects. The Parish of St. Saviour has not been consulted in the same manner as the area is wholly within St. Helier, however, in addition to the information which will be provided to the public shortly, I am happy to meet representatives of the Parish of St Saviour and discuss the proposals.”

Membership of the Audit Commission - statement

Senator Frank Harrison Walker, President of the Finance and Economics Committee made a statement in the following terms -

“The Finance and Economics Committee wishes to inform the Assembly of the recent appointment of four new members of the States Audit Commission.

Advocate Deborah Lang - Partner, Bailhache Labesse; Chairman of the Education Audit Committee

Mr. Brian Le Marquand - Chairman, Jersey Milk Marketing Board; Chairman of the Public

Services Audit Committee.

will fill the vacancies arising from the resignations of Advocate Christopher Gerard Pellow Lakeman and Advocate William James Bailhache during 1999.

Advocate Alexander Partner, Olsens
Anders Ohlsson - Member of Tourism/SLR Audit Committee

Mr. Anthony Grimes - Chartered Management FCMA Accountant; Finance Director,
Theodore Goddard (Jersey); former Chairman of the Education
Audit Committee.

will replace Commissioners Mr. Sean Morvan and Mrs. Pat Carter who have indicated that they wish to stand down at the end of their three year term of office in June.

These appointments reflect the comments contained in the Hepworth Report which recommends better co-ordination between the Audit Commission and Audit Committees.”

Appointment of a Chief Officer of the States of Jersey Police - statement

Deputy Alastair John Layzell of St. Brelade, President of the Home Affairs Committee, made a statement in the following terms -

“The Home Affairs Committee is to recommend to the States the appointment of Mr. Graham Power QPM, MA, as the next Chief Officer of the States of Jersey Police.

Mr. Power is currently Her Majesty’s Assistant Inspector of Constabulary for Scotland, on secondment from Lothian and Borders Police where he was Deputy Chief Constable.

His career has included time as a Chief Inspector and Superintendent in the Cleveland Constabulary and Divisional Commander in North Yorkshire. He was responsible for planning and leading the policing of the 1997 Commonwealth Conference in Edinburgh, as well as over 60 Royal and State visits.

Members will appreciate the range of Mr. Power’s experience when I tell them that in 1998 he was asked by the Secretary of State to lead an independent enquiry into the way in which Grampian Police handled enquiries into the abduction and murder of a local boy. Earlier this year he worked directly with the Justice Minister on issues arising from the enquiry into the death of Stephen Lawrence. His service as Assistant HMI in Scotland has given him a broad view of the Police Service today.

The Assembly will recall that the appointment of a Chief Officer is a decision reserved for the States. The Committee will shortly lodge a report and proposition. If this is approved, Mr. Power will take up his position later this year, shortly before the retirement of the current Chief Officer.”

Housing development sites: first-time buyers

THE STATES, adopting a proposition of the Planning and Environment Committee, referred to their Act dated 2nd November 1999 in which they approved the rezoning of certain areas of land for the construction of social rented and/or first-time buyer homes and ancillary community facilities, and agreed that the land so rezoned should be used for the provision of social rented homes and/or homes for the following persons -

- (1) any person who -
 - (a) does not own, and has not previously owned, whether as sole owner or jointly or in common with any other person or persons -

- (i) any immovable property;
 - (ii) either in his own name or as beneficial owner, shares in any company, ownership of which confers the right to occupy residential accommodation;
- and
- (b) is neither married to, nor buying as co-owner with, any person who does not fall within subparagraph (a) above.
- (2) any person who has been approved by the Housing Committee as being a person who would be in need of assistance in order to acquire property and to whom consent should therefore be granted to acquire or to occupy the residential accommodation as the case may be, notwithstanding the fact that he does not fall within paragraph (1) above; any refusal by the Housing Committee to approve a person as being in need of assistance in order to acquire or occupy property to be subject to review by the Planning and Environment Committee.

Draft Friendly Societies (Immovable Property) (Jersey) Law 200 - P.71/2000

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Friendly Societies (Immovable Property) (Jersey) Law 200 .

Draft Amendment (No. 20) of the Standing Orders of the States of Jersey - P.76/2000 - (P.76/2000): amendment - P.79/2000

THE STATES commenced consideration of the draft Amendment (No. 20) of the Standing Orders of the States of Jersey and accepted an amendment of Deputy Jeremy Laurence Dorey of St. Helier that in paragraph (1) of the inserted Standing Order 18A there should be deleted the words “its financial effect and” and that before the words “manpower resources” there should be inserted the words “financial or”.

THE STATES, in pursuance of Article 27 of the States of Jersey 1966, as amended, made a Standing Order entitled the Amendment (No. 20) to the Standing Orders of the States of Jersey.

Maritime boundary between France and Jersey and Agreement concerning fishing in the Bay of Granville - P.81/2000

THE STATES, adopting a proposition of the Policy and Resources Committee, requested the Bailiff to inform the Secretary of State that it was the wish of the Assembly that the proposed agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic on the establishment of a maritime boundary between France and Jersey, the proposed Agreement concerning fishing in the Bay of Granville, and the Exchanges of Notes relative thereto be concluded.

Members present voted as follows -

“Pour” (47)

Senators

Horsfall, Le Maistre, Bailhache, Norman, Walker, Kinnard, Le Sueur, Lakeman.

Connétables

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

Deputies

H. Baudains(C), St. Mary, S. Baudains(H), Trinity, Duhamel(S), Routier(H), Layzell(B), Breckon(S), Huet(H), St. Martin, St. John, Le Main(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L), St. Ouer G. Baudains(C), Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Le Hérissier(S), Ozouf(H), Fox(H), Bridge(H), Martin(H).

“Contre” (0)

Les Ormes Farm, Field 773, La Route de la Blanche Pierre, St. Lawrence: development in the Green Zone- P.82/2000

THE STATES commenced consideration of a proposition of the Planning and Environment Committee concerning Les Ormes Farm, Field 773, La Route de la Blanche Pierre, St. Lawrence: development in the Green Zone. After discussion, the Deputy of St. John proposed that the States move to the next item of the order paper which proposition was rejected.

THE STATES resumed consideration of the proposition but after further discussion acceded to the request of Deputy Alastair John Layzell of St. Brelade, Vice-President of the Planning and Environment Committee, that the matter be deferred to the next meeting on 4th July 2000 when it would be taken as the first item of matters lodged “au Greffe” under public business.

Attendance Allowance Board: appointment of members - P.83/2000

THE STATES, adopting a proposition of the Employment and Social Security Committee, and in pursuance of Article 4 of the Attendance Allowance (Jersey) Law 1973, as amended, appointed the undermentioned as members of the Attendance Allowance Board for a period of three years with effect from 1st April 2000 -

Dr. J. Newell (Chairman)
Dr. D. Crill
Dr. S. Milner
Reverend Dr. A.D. Williams
Dr. D. Fullerton

Mrs. M. Rebindaine
Mrs. A. Le Feuvre.

H.M. Prison La Moye: construction of Control Room - approval of drawings - P.85/2000

THE STATES, adopting a proposition of the Home Affairs Committee -

- (a) approved drawing Nos. 2415/328, 329, 330, 331, 336 and 341 showing the layout of the new Control Room to be located in H.M. Prison, La Moye;
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Oak Tree Gardens, St. Helier (Old Elysée Estate): Phase III - approval of drawings - P.86/2000

THE STATES, adopting a proposition of the Housing Committee -

- (a) approved drawings Nos. 4022/100, /140, /200, /210, /220, /230, /240-243, /250, /260-261, /270, /280-281, /290 and OC2/424/N, showing the redevelopment of Oak Tree Gardens (Old Elysée Estate), Phase III, St. Helier;
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Members present voted as follows -

“Pour” (40)

Senators

Horsfall, Quérée, Bailhache, Norman, Le Sueur.

Connétables

St. Mary, St. Peter, Grouville, St. Helier, St. John, Trinity, St. Saviour, St. Clement, St. Brelade, St. Lawrence.

Deputies

H. Baudains(C), S. Baudains(H), Trinity, Duhamel(S), Routier(H), Layzell(B), Breckon(S), Huet(H), St. Martin, Le Main(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L), St. Ouen, G. Baudains(C), Dor (H), Voisin(L), Scott Warren(S), Farnham(S), Le Hérissier(S), Ozouf(H), Fox(H), Bridge(H), Martin(H).

“Contre” (2)

Deputies

St. John, Troy(B).

Cannon Street and Lemprière Street housing development: sale to Jersey Homes Trust - P.87/2000

THE STATES, adopting a proposition of the Housing Committee -

- (a) approved the sale of the freehold interest of an area of land in Cannon Street and Lemprière Street, St. Helier, as shown hatched on drawing no. 641/1, to the Jersey Homes Trust for redevelopment as social rented housing, for a nominal sum to be agreed by the Finance and Economics Committee;
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts on

behalf of the States.

Members present voted as follows -

“Pour” (36)

Senators

Horsfall, Quérée, Bailhache, Norman, Le Sueur.

Connétables

St. Mary, St. Peter, Grouville, St. Helier, St. John, St. Saviour, St. Clement, St. Brelade, St. Lawrence.

Deputies

H. Baudains(C), Trinity, Routier(H), Layzell(B), Huet(H), St. John, Le Main(H), Crowcroft(H), Viber (B), St. Peter, Dubras(L), St. Ouen, G. Baudains(C), Dorey(H), Troy(B), Voisin(L), Scott Warren(S Farnham(S), Le Hérisier(S), Ozouf(H), Fox(H), Bridge(H).

“Contre” (5)

Deputies

S. Baudains(H), Duhamel(S), Breckon(S), St. Martin, Martin(H).

Le Rocquier School: Field Nos. 131 and 131A, La Rue du Pontlietaut, St. Clement- proposed change of use - P.88/2000

THE STATES, adopting a proposition of the Planning and Environment Committee -

- (a) rezoned Fields 131 and 131A, La Rue du Pontlietaut, St. Clement, as shown on drawing no. 626/1 from the Agricultural Priority Zone to use for school playing fields;
- (b) authorised the Planning and Environment Committee, on behalf of the Education Committee, to negotiate with the owners for the purchase of the land at a fair and proper price to be agreed with the Finance and Economics Committee;
- (c) agreed that, in the event of it not being possible to reach agreement on a fair and proper purchase price, the Planning and Environment Committee should be empowered, in exercise of the power conferred by Article 4 of the Island Planning (Jersey) Law 1964, as amended, to acquire the land by compulsory purchase on behalf of the public in accordance with the provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961, as amended;
- (d) authorised the payment or discharge of the expenses to be incurred in connection with the acquisition of the said land and all interest therein and the repayment of all legal expenses from the Land Acquisition vote CO904;
- (e) authorised the Planning and Environment Committee to transfer the administration of the land described in paragraph (a), once acquired, to the Education Committee;
- (f) authorised the Attorney General and the Greffier of the States to pass, on behalf of the Public, any contracts which might be found necessary to pass in connection with the said properties and any interests therein.

THE STATES rose at 4.12 p.m.

G.H.C. COPPOCK

Greffier of the States.