



THE STATES assembled on Tuesday,  
2nd February, 1982 at 10.15 a.m.  
under the Presidency of the Deputy  
Bailiff, Peter Leslie Crill, Esquire,  
C.B.E.

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All members were present with the exception of –

Senator John William Ellis – out of the Island.

Jean Amy Le Maistre, Deputy of St. Helier – out of the Island.

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Prayers.

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### **Subordinate legislation tabled.**

The following enactments were laid before the States,  
namely –

1. Depositors and Investors (Prevention of Fraud) (List of Registered Persons) (Jersey) Order, 1982. R & O 7013.
2. Road Traffic (Grouville) (Amendment No. 5) (Jersey) Order, 1982. R & O 7014.
3. Road Traffic (Saint Martin) (Amendment No. 7) (Jersey) Order, 1982. R & O 7015.

### **Report on the Valuation of the Public Employees Contributory Retirement Scheme as at 31st December, 1980. R.C.1.**

The Establishment Committee, by Act dated 20th January, 1982, presented to the States the Report on the Valuation of the Public Employees Contributory Retirement Scheme as at 31st December, 1980.

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

**Statistical Information of the Island Development Committee for 1981. R.C.2.**

The Island Development Committee, by Act dated 15th January, 1982, presented to the States a Statistical Report for the year 1981.

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

**Matters noted – land transaction.**

THE STATES noted an Act of the Finance and Economics Committee dated 27th January, 1982, showing that, in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved, as recommended by the Harbours and Airport Committee, the assignment from Mr. Albert Bircham Foxhall and Mrs. Dorothy Esther Foxhall, née Davis, to Mr. Cyril Alfred Le Brun and Mrs. Janine Le Brun, née Martin, on the same terms and conditions, of the ground lease of the 'Hungry Man' Kiosk, Rozel, St. Martin, with effect from 15th January, 1982, at an annual rent of £120.

**Matter noted – financial transaction.**

THE STATES noted an Act of the Finance and Economics Committee dated 13th January, 1982, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules, 1967, as amended, the Committee had noted that the Resources Recovery Board had accepted the lowest of eleven tenders, namely that submitted by Queghan Construction Company Limited in the sum of £668,084.77 for the construction of a surface water sewer and outfall in Gloucester Street.

**Matters lodged.**

The following subjects were lodged “au Greffe” –

1. **Draft Dentists (Registration) (Amendment) (Jersey) Law, 198 . P.10/82.**  
Presented by the Public Health Committee. The States decided to take this subject into consideration on 16th February, 1982.
2. **Draft Cremation (Amendment No. 2) (Jersey) Law, 198 . P.11/82.**  
Presented by the Public Health Committee. The States decided to take this subject into consideration on 16th February, 1982.
3. **Draft Old Person’s Homes (Registration) (Amendment No. 2) (Jersey) Law, 198 . P.12/82.**  
Presented by the Public Health Committee. The States decided to take this subject into consideration on 16th February, 1982.
4. **Draft Nursing Homes (Registration) (Amendment No. 3) (Jersey) Law, 198 . P.13/82.**  
Presented by the Public Health Committee. The States decided to take this subject into consideration on 16th February, 1982.
5. **Draft Amendment (No. 3) to the Tariff of Harbour and Light Dues. P.14/82.**  
Presented by the Harbours and Airport Committee. The States decided to take this subject into consideration on 16th February, 1982.
6. **Appointment of Directors of the Jersey Electricity Company Limited. P.16/82.**  
Presented by the Finance and Economics Committee. The States decided to take this subject into consideration on 16th February, 1982.
7. **Subsidised Interest Rate on Monies Borrowed by Growers: Amendment to Scheme. P.17/82.**  
Presented by the Agriculture and Fisheries Committee. The States decided to take this subject into consideration on 16th February, 1982.

The following subject was lodged “au Greffe” on 26th January, 1982 –

**Retirement Age of Employed Males: Amendment.  
P.9/82.**

Presented by Deputy Terence John Le Main of St. Helier.

**Draft Anatomy and Human Tissue (Jersey) Law, 198 .  
P.115/81.**

THE STATES acceded to the request of the President of the Public Health Committee that the Proposition regarding the Draft Anatomy and Human Tissue (Jersey) Law, 198 (P.115/81 – lodged on 13th October, 1981) be considered on 16th February, 1982.

**Disposal of Horticultural Waste. Question and Answer.**

John Philip Pirouet, Connétable of St. Ouen asked Deputy John Le Gallais of St. Saviour, President of the Resources Recovery Board the following question –

“In view of the serious danger of the spreading of disease by the dumping of horticultural waste, what facilities are available to the horticultural industry this year?”

The President of the Resources Recovery Board replied as follows –

“The Board accepts diseased horticultural waste at its tip at La Saline which is open from 8 a.m. to 1 p.m., Monday to Friday.

These wastes must be accompanied by a certificate issued on behalf of the Agriculture and Fisheries Committee by the Plant Pathologist or the Senior Produce Inspector.

I must emphasise that the tip at La Saline was purchased by the States for the express purpose of providing an emergency disposal site for waste material in the event of a large scale plant failure at Bellozanne.

The Board does not accept the responsibility for the disposal of clean horticultural or agricultural wastes.”

### **Small Businesses. Questions and Answers.**

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 questions –

- “1. Can the President inform the House of the number of applications received from self-employed persons in small existing or intended businesses for change of use for premises in the Island in the last three years?
2. Can the President inform the House how many were approved?
3. Can the President inform the House how many businesses have been ordered to cease trading or work in the last three years due to their having illegally occupied premises without the prior consent of his Committee, and how many premises have been required to close for the same reason?
4. Will the President accept the urgency to provide very low cost premises to small businesses and inform the House what he is able to do to alleviate the situation and whether he is prepared to bring a proposition to the States which would contain proposals to allow small businesses to start up and give more employment to locals?”

The President of the Island Development Committee replied as follows –

- “1. I cannot. It is not possible to inform the House of the number of applications, as described, received during the last 3 years. The Island Development Committee application forms and files are not set up in a way allowing for identification of self-employed persons in small businesses. It would be possible for a search to be made through the past 3 years’ files and an enlightened guess made of the status of each applicant, but at the expense of a considerable amount of Civil Service time and to the detriment of current applicants.
2. My answer to question 1 also applies to this question.
3. The Committee has served cession orders on approximately 4 occasions during the past 3 years. As to refusals of applications to regularise illegal work my officers can recall 5 that have occurred during the past 3 years.
4. It is not the function of the Island Development Committee to provide low cost premises for small businesses. Its nearest function in this direction is to make land available, so far as possible, for such businesses amongst a whole range of other activities.

As mentioned in its recent Policy Report and by me a fortnight ago in answer to earlier questions, the Island Development Committee will be providing more land for light industrial and similar purposes than for many years. It will come forward in phases at Rue des Pres and at La Collette, probably commencing near the end of this year, and finally totalling about 28 vergées.

In this connexion, it will be of interest to the House to note that last autumn the previous President set up a working party of officers to look into this question of industrial sites under the chairmanship of the Economic Adviser. I received an interim report of that working party last Friday which identifies the problem that lies under the Deputy’s questions. My Committee will be giving consideration to the working party report at its next policy meeting.”

**Public Employees Contributory Retirement Scheme.  
Statement.**

The President of the Establishment Committee made a statement in the following terms –

“The Public Employees (Retirement) (Jersey) Law, 1967, requires the Establishment Committee to obtain periodic actuarial reviews of the Public Employees Contributory Retirement Scheme and to lay copies of reports on those reviews before the States. The latest review was undertaken in 1981 and the report is before the House.

However, where such a review discloses, as in this case, a surplus, that Law also requires the Committee to submit proposals to the States for dealing with it, within three months of tabling the Report.

The House should be aware that the Committee is about to enter into discussions with representatives of those groups of staff who are members of the Scheme on ways and means of dealing with that surplus. Those discussions will take time, but if they lead to the need for change, I would remind the House that any such change will require amendment to the Regulation and will, therefore, have to be brought to the House for approval in due course.”

**Queen’s Valley. Statement.**

The President of the Public Works Committee made a statement in the following terms –

- “1. The Public Works Committee wishes to acquaint the House with two developments which could possibly delay the Queen’s Valley reservoir project; the first

concerns the Extinguishment of Roads (Jersey) Law, 1972, and the second is in respect of Article 6 of the Water (Jersey) Law, 1972, under which, with States approval, the Jersey New Waterworks Company Limited may acquire land compulsorily.

2. It had been realised a year ago that the parochial authorities of Grouville would not easily be persuaded to support the extinguishment of roads in the valley, although the Company had offered to construct alternative roads if necessary. My Committee hoped, however, that following upon the second States' decision that the project should proceed, the Parish would adopt the responsible attitude in the interests of good government and the Island as a whole. Such has not proved to be the case however, and, following the advice of Her Majesty's Attorney-General, the Public Works Committee has written to the Island Development Committee in the following terms –

'Dear Mr. Skinner,

**Extinguishment of Roads (Jersey) Law, 1972,  
Queen's Valley**

I enclose herewith a copy of a letter dated 15th January, 1982 from the Constable of Grouville, the contents of which are self-explanatory.

As a result of the decision of the Parish of Grouville, I have consulted the Attorney-General in the matter and I am advised that it would now be in order for the Island Development Committee, in pursuance of Article 2(2) of the Extinguishment of Roads (Jersey) Law, 1972, to represent to the Parish of Grouville that the extinguishment of the roads in question are necessary and desirable in the interests of the planning of that part of the Island and that, if the Parish wishes to do so it may make application to the Royal Court for



the necessary Order or instead require the Island Development Committee to make such an application.

I am further advised by the Attorney-General that if the parochial authorities of Grouville fail to respond to the request of your Committee it will be for him to take action before the Royal Court so as to require the Parish to do so.

On behalf of the Public Works Committee therefore I write to ask whether the Island Development Committee would be prepared to act under Article 2(2) of the Extinguishment of Roads (Jersey) Law, 1972.

Yours sincerely,

G.I.G. Pitman,  
Chief Administrative Officer.'

3. With regard to the compulsory purchase powers granted to the Company by the States on 18th November, 1981, a more serious difficulty has arisen. It appears that, when, in March 1981, the Compulsory Purchase of Land (Procedure) (Amendment No. 3) (Jersey) Law, 1981, was approved by the States certain clauses in the existing law were deleted. Unfortunately, it was through these clauses that the Water (Jersey) Law, 1972, operated in pursuance of Article 6 thereof enabling the Company to acquire land compulsorily. The Committee has taken the advice of Her Majesty's Attorney-General in the matter with the result that he has confirmed that the Water (Jersey) Law, 1972, will have to be amended in order that it can comply with the Compulsory Purchase legislation as now modified; the Committee has asked the Law Draftsman to prepare the necessary amendment in accordance with this advice.

4. In the meantime, the Committee is seeking further advice from Her Majesty's Attorney-General on the possibility of the powers of the Island Development Committee under the Planning (Jersey) Law, 1964, being utilised for the purpose of obtaining the necessary land and property required to achieve the implementation of the States' decision to develop Queen's Valley as a reservoir. The President of the Island Development Committee has been informed of this action and the Public Works Committee will keep the States advised of the developments in due course."

**Lease of Sub-Station Sites at the General Hospital to the Jersey Electricity Company Limited.**

THE STATES, adopting a Proposition of the Public Health Committee –

- (a) approved the leasing to the Jersey Electricity Company Limited of a site for a sub-station namely the whole of 'The Lodge', General Hospital, St. Helier (with the exception of the room to the south and subject to a pedestrian right of way being retained through the archway) as outlined in red and measuring approximately 37 square metres on Drawing No. 2688-1, for a period of 99 years from 1st April, 1981 for the sum of £1.00 a year payable in one sum ten days after passing contract;
- (b) approved the leasing to the Jersey Electricity Company Limited of a site for a sub-station namely five rooms on the ground floor of Phase 1A, General Hospital, St. Helier (to be known as the Kensington Place Sub-Station) measuring approximately 69 square metres as outlined in red on Drawing No. 2683-19B, for a period of 99 years from 1st April, 1981 for the sum of £1.00 a year payable in one sum ten days after passing contract;

- (c) authorised the Attorney General and the Greffier of the States to pass the necessary contract with the Jersey Electricity Company Limited;
- (d) authorised the Treasurer of the States to receive the sums of money as they became due.

### **Gorey Village Development: Sale of Dwellings.**

THE STATES, adopting a Proposition of the Housing Committee –

- (a) referred to their Act dated 19th August, 1980, and confirmed the sale on completion of approximately 50 per cent of the dwelling houses under construction in Phase I of the Gorey Village Development, to applicants under the States' Loans Scheme;
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts in the matter;
- (c) authorised the Treasurer of the States to receive the requisite purchase monies and to credit them to Vote No. C1143.

### **10, Dorset Street: Approval of Plans.**

THE STATES, adopting a Proposition of the Housing Committee –

- (a) approved Drawing No. 234/2 showing the development of a single storey dwelling at 10, Dorset Street, St. Helier;

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

**16½ – 17, Simon Place: Approval of Plans.**

THE STATES, adopting a Proposition of the Housing Committee –

- (a) approved Drawings Nos. 239/5 and 6, showing the conversion of 16½ – 17, Simon Place, St. Helier into 1 two-bedroomed flat and 4 one-bedroomed flats;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

**Social Security (Amendment No. 2) (Jersey) Law, 1982.**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Social Security (Amendment No. 2) (Jersey) Law, 1982.

**Maternity Grants for Common Law Wives. P.128/81.  
Withdrawn.**

THE STATES acceded to the request of Deputy Norman Stuart Le Brocq of St. Helier to withdraw his Proposition regarding Maternity Grants for Common Law Wives (P.128/81 – lodged on 17th November, 1981).

**Suspension of Standing Order No. 18**

THE STATES, adopting a Proposition of the Education Committee, suspended Standing Order No. 18 in order to allow the Proposition of that Committee regarding the purchase of St. Luke's Vicarage to be considered at the present sitting.

**Purchase of St. Luke's Vicarage**

THE STATES, adopting a Proposition of the Education Committee –

- (a) approved the purchase of St. Luke's Vicarage from the Winchester Diocesan Council for a consideration of £68,000 for the realty, on the basis of each side paying its own legal expenses;
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contract in the matter;
- (c) authorised the Island Development Committee to transfer a sum sufficient to meet the costs of purchase and legal expenses from the Capital Vote of Credit granted to it under the heading "Acquisition of Land – Major Reserve" (Vote No. C.0904) to a new Capital Vote of Credit under the heading of "Purchase of St. Luke's Vicarage", to be administered by the Education Committee.

THE STATES rose at 11.20 a.m.

**R.S. GRAY,**

*Deputy Greffier of the States.*