

**THE STATES assembled on Tuesday,
11th September 2001 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,
was present**

All members were present with the exception of -

Senator Jean Amy Le Maistre - out of the Island
Senator Patricia Anne Bailhache - out of the Island
Senator Terence Augustine Le Sueur - out of the Island
Paul Francis Routier, Deputy of St. Helier - out of the Island
Jacqueline Jeannette Huet, Deputy of St. Helier - out of the Island

Prayers read by the Deputy Greffier of the States.

Subordinate legislation tabled

The following enactments were laid before the States, namely -

Health Insurance (Pharmaceutical Benefit) (General Provisions) (Amendment No. 16) (Jersey) Order 2001. R & O 116/2001.

Gambling (Channel Islands Lottery) (Amendment No. 2) (Jersey) Order 2001. R & O 117/2001.

Battle of Britain Air Display (Jersey) Order 2001. R & O 118/2001.

St. Clement Fête (Jersey) Order 2001. R & O 119/2001.

Education (Discretionary Grants) (Jersey) Order 2001. R & O 121/01.

Airport Dues (Tariff) (No. 2) (Jersey) Order 2001. R & O 122/2001.

Tourism (General Provisions) (Amendment No. 8) (Jersey) Order 2001. R & O 123/2001.

Places of Refreshment (Registration) (Fees) (Jersey) Order 2001. R & O 124/2001.

Road Traffic (Public Parking Places) (Amendment) (Jersey) Order 2001. R & O 125/2001.

Medicines (General Sale List) (Amendment No. 4) (Jersey) Order 2001. R & O 126/2001.

Medicines (Health Professionals - Exemption) (Jersey) Order 2001. R & O 127/2001.

Matrimonial Causes (Amendment No. 7) (Jersey) Rules 2001.

Agriculture and Fisheries Committee - resignation of member

THE STATES noted the resignation of the Connétable of St. John from the Agriculture and Fisheries Committee.

Matters presented

The following matters were presented to the States -

States Resource Plan 2001 (P.124/2001): amendments (P.124/2001 Amd.)- comments - P.124/2001 Amd. Com.
Presented by the Finance and Economics Committee.

States Resource Plan 2001 (P.124/2001): report P.124/2001 Rpt.
Presented by the Finance and Economics Committee.

Jersey Competition Regulatory Authority (JCRA): appointment - R.C.31/2001.
Presented by the Industries Committee.

Telecommunications Board: annual report and accounts for 2000.
Presented by the Telecommunications Board.

Machinery of Government: proposed reforms (P.122/2001) - comments - P.122/2001 Com.
Presented by the Human Resources Committee.

States Resource Plan 2001 (P.124/2001): amendments (P.124/2001 Amd.)- comments - P.124/2001 Amd.Com.(2).
Presented by the Human Resources Committee.

The following matter was presented on 28th August 2001 -

Woodville Hotel Site, St. Helier: sale of flats (P.123/2001) - comments - P.123/2001 Com.
Presented by the Finance and Economics Committee.

The following matters were presented on 4th September 2001 -

General Reserve: grant of additional funds to 30th June 2001 - R.C. 29/2001.
Presented by the Finance and Economics Committee.

States of Jersey Law 1966, as amended: delegation of functions - residential homes - R.C.30/2001.
Presented by the Health and Social Services Committee.

Stabilisation of Property Prices and the Provision of Affordable Residential Accommodation (P.68/2001): comments - P.68/2001 Com.
Presented by the Finance and Economics Committee.

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

Matters noted - land transactions

THE STATES noted Acts of the Finance and Economics Committee dated 31st July, 20th August and 3rd September 2001 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 Tourism Committee, the renewal of the lease to Mr. Peter Kubeck and Mrs. Bridget Kubeck, née Waage, of the Old Station House Café, Millbrook, St. Lawrence, for a further period of three years deemed to have commenced on 25th December 2000, at an annual rent of £7,500, increasing to £8,500 on 25th December 2001 and £9,000 on 25th December 2002, with all other terms and conditions remaining as in the existing agreement, on the basis that each party would be responsible for its own legal costs arising from this transaction;

- (b) as recommended by the Public Services Committee, the entering into a Deed of Arrangement with Railway Walk Limited in order to acquire an area of land (measuring 441 square feet) located to the south of Le Mont Les Vaux, St. Brelade (as detailed on Drawing No. P272 01) for the sum of £10, subject to the company carrying out the necessary road widening and pavement construction prior to the formal completion of the sale of any of the new residential units to be constructed on the former St. Julian's Hall site; and to clarify the southern boundary of the new development and to allow the company to establish a new pedestrian bridge link to the Railway Walk (as detailed on Drawing No. 272 03), subject to the payment by the company of the sum of £500 and to the extinguishment by the company of the existing bridge access, on the basis that each party would be responsible for its own legal costs arising from this transaction;
- (c) as recommended by the Gambling Control Committee, the lease from Elgin Estates Limited, of the First Floor Office Suite at 7 West's Centre, St. Helier, for the continued occupation of the Gambling Control Office for a further period of 12 months from 24th June 2001, at a continuing annual rent of £10,500, with the other conditions remaining as in the existing lease, on the basis that each party would be responsible for its own legal costs arising from this transaction;
- (d) as recommended by the Housing Committee, the grant of Standard Wayleave Rights to Curiet Holdings Limited in respect of the Hodge Nursery Development, La Grande Route de la Côte, St. Clement, in return for a one-off payment by the Developer of £10,000, subject to the works being undertaken at no expense to the public;
- (e) as recommended by the Health and Social Services Committee, the renewal of the lease to Miss Lois Hesford of the Upper Flat, La Pouclée Lodge, La Pouquelaye, St. Helier, for a period of three years deemed to have commenced on 25th March 2001, at an annual rent of £8,300 payable quarterly in advance, with annual rent reviews in line with the Jersey Retail Prices Index, on the basis of the same terms and conditions as the existing agreement, with each party to be responsible for its own legal costs arising from this transaction;
- (f) as recommended by the Sport, Leisure and Recreation Committee, the lease to the Jersey Electricity Company Limited of electricity sub-station No. 20 situated at the F.B. Fields, St. Clement, for a period of 99 years at an agreed annual rent of £1, payable in a lump sum upon the passing of the contract; and in addition, the grant to the Company, free of charge, of wayleave rights in association with the sub-station (as illustrated on Plan No. 25M- reference SS20 dated 29th May 2001), with each party to be responsible for its own legal costs arising from this transaction;
- (g) as recommended by the Public Services Committee, the purchase from Beauvoir Properties (St. Clement) Limited of two small parcels of land (measuring 256 square feet and 34 square feet situated to the north of the property known as Beauvoir Court, La Grande Route de St. Clement, St. Clement, for the total sum of £10, with each party being responsible for its own legal costs arising from this transaction;
- (h) as recommended by the Tourism Committee, the renewal of the lease to Mrs. Jean Doublard, née Wright, of the Driftwood Café, Archirondel Bay, St. Martin, for an additional three-year period deemed to have commenced on 25th December 2000 at an increased annual rent of £7,500, increasing to £8,000 from 25th December 2001 and remaining at £8,000 for the following year, on the basis that all other terms and conditions would remain the same as the existing agreement and with each party to be responsible for its own legal costs arising from this transaction;
- (i) as recommended by the Tourism Committee, the renewal of the lease to Mr. Darren Amy and Miss Emma Louise Machon of the property known as the Plemont Beach Café, St. Ouen, for a period of three years deemed to have commenced on 25th December 2000, at a commencement annual rent of £6,000, increasing to £6,500 on 25th December 2001 and to £7,000 on 25th December 2002, with each party to be responsible for its own legal costs arising from this transaction;

- (j) as recommended by the Health and Social Services Committee, the lease to Mrs. Nicola Collins, née Payn, of No. 1 Coastlands, Greve d'Azette, St. Clement, on an internal repairing basis, for a period of three years from 1st June 2001 at an commencement annual rent of £16,000, payable quarterly in advance, subject to annual increases in line with the Jersey Retail Prices Index as at 1st June each year, with an option to renew the lease for a further period of three years, on the basis that each party would be responsible for their own legal costs arising from this transaction.
- (k) as recommended by the Harbours and Airport Committee, the lease to Bill Hibbs Marine Limited of Unit 5, Marine Workshop, La Folie, St. Helier (Letting No. LF9E- measuring 878 square feet), for a period of nine years from 1st September 2001, at a commencing annual rent of £4,720.02 subject to annual rent reviews on 1st March in line with the Jersey Retail Price Index, and in accordance with the standard terms and conditions for a marine workshop.

THE STATES noted an Act of the Finance and Economics Committee dated 20th August 2001 approving the following decision -

as recommended by the Planning and Environment and Housing Committees, for the purpose of facilitating the development of the site for the housing of the population, the purchase from Dandara Island Homes Limited of the site of the former Woodville Hotel, St. Saviour's Road, St. Helier, and the development of 55 two-bedroom flats and four one-bedroom flats, with 62 car parking spaces at basement, semi-basement and surface level, for a consideration of £9,653,724, £2,735,143 of which represented the sum paid by Dandara Island Homes Limited for the land plus the various fees and stamp duty incurred by the company in completing the purchase, on the basis of each party being responsible for its own legal costs arising from the transaction.

Matters lodged

The following matters were lodged "au Greffe" -

Machinery of Government: proposed reforms (P.122/2001) - third amendments - P.122/2001 Amd.(3).
Presented by Deputy P.N. Troy of St. Brelade.

Machinery of Government: proposed reforms (P.122/2001) - fourth amendments - P.122/2001 Amd.(4).
Presented by Deputy R.C. Duhamel of St. Saviour.

Machinery of Government: proposed reforms (P.122/2001) - fifth amendments - P.122/2001. Amd.(5).
Presented by Deputy A.S. Crowcroft of St. Helier.

Draft Food and Drugs (Amendment No. 3) (Jersey) Law 2000 (Appointed Day) Act 200 P.134/2001.
Presented by the Health and Social Services Committee.

Funding of Welfare - P.135/2001.
Presented by the Connétable of Grouville.

Draft Matrimonial Causes (Amendment No. 10) (Jersey) Law 2000 (Appointed Day) Act 200 P.136/2001.
Presented by the Legislation Committee.

Draft Health and Safety at Work (Amendment No. 3) (Jersey) Law 200 P.137/2001.
Presented by the Employment and Social Security Committee.

Draft Health Insurance (Medical Benefit) (Amendment No. 54) (Jersey) Regulations 200 P.138/2001.
Presented by the Employment and Social Security Committee.

The following matters were lodged on 7th August 2001 -

Machinery of Government proposed reforms - P.122/2001.

Presented by the Policy and Resources Committee.

Woodville Hotel Site, St. Helier: sale of flats- P.123/2001.

Presented by the Housing Committee.

The following matters were lodged on 14th August 2001 -

States Resource Plan 2001 - P.124/2001.

Presented by the Policy and Resources Committee.

Draft Agriculture (Poisonous Substances) (Repeal) (Jersey) Law 200- P.125/2001.

Presented by the Employment and Social Security Committee.

Agriculture and Fisheries Committee : policy report - P.126/2001.

Presented by the Agriculture and Fisheries Committee.

The following matters were lodged on 21st August 2001 -

Manual Workers' Joint Council: Employers' Side membership - P.127/2001.

Presented by the Human Resources Committee.

Public Employees Contributory Retirement Scheme Committee of Management: membership - P.128/2001.

Presented by the Human Resources Committee.

The following matters were lodged on 28th August 2001 -

Projet de Loi (200-) (Amendement No. 9) réglant la procédure criminelle (P.37/2001): amendments - P.37/2001 Amd.

Presented by Deputy J.L. Dorey of St. Helier.

Machinery of Government: proposed reforms (P.122/2001) - amendments - P.122/2001 Amd.

Presented by Senator C.G.P. Lakeman.

Machinery of Government: proposed reforms (P.122/2001) - second amendments - P.122/2001 Amd.(2).

Presented by Deputy M.E. Vibert of St. Brelade.

States Resource Plan 2001 (P.124/2001): amendments - P.124/2001 Amd.

Presented by the Health and Social Services Committee.

Jersey Financial Services Commission: appointment of Commissioner - P.129/2001.

Presented by the Finance and Economics Committee.

Draft Licensing (Licence Fees) (Jersey) Regulations 200- P.130/2001.

Presented by the Tourism Committee.

Trinity School: approval of drawings - P.131/2001.

Presented by the Education Committee.

Draft Public Elections (Jersey) Law 200- P.132/2001.

Presented by the Legislation Committee.

The following matter was lodged on 4th September 2001 -

Draft Gambling (Amendment No. 5) (Jersey) Law 200 P.133.2001.

Presented by the Gambling Control Committee.

Arrangement of public business: frequency of meetings

THE STATES, adopting a proposition of Senator Pierre François Horsfall, and in the light of the amount of business required to be considered during the current session, agreed to meet weekly until the end of the autumn session.

Arrangement of public business for the present meeting

THE STATES confirmed that the following matters lodged “au Greffe” would be considered at the present meeting. The States, adopting a proposition of Senator Stuart Syvret, the States agreed that the States Resource Plan P.124/2001 should be considered as the first item of business.

Members present voted as follows -

“Pour” (27)

Senators

Horsfall, Stein, Quérée, Syvret, Walker, Kinnard, Le Claire, Lakeman.

Connétables

St. Saviour, St. Clement, St. Mary, St. John, St. Peter.

Deputies

St. Mary, Layzell(B), Grouville, St. Martin, Crowcroft(H), Vibert(B), St. Peter, Dubras(L), Voisin(L), Scott Warren(S), Farnham(S), Ozouf(H), Bridge(H), Martin(H).

“Contre” (19)

Senator

Norman.

Connétables

St. Helier, St. Martin, Trinity, St. Brelade, St. Lawrence.

Deputies

H. Baudains(C), S. Baudains(H), Trinity, Duhamel(S), Breckon(S), St. John, Le Main(H), St. Ou G. Baudains(C), Dorey(H), Troy(B), Le Hérissier(S), Fox(H).

THE STATES, adopting a proposition of Senator Leonard Norman, agreed that the proposition concerning Trinity School: approval of drawings (P.131/2001) should be considered as the second item of business -

States Resource Plan 2001 - P.124/2001.

Lodged: 14th August 2001.

Policy and Resources Committee.

States Resource Plan (P.124/2001): - report P.124/2001 Rpt.

Presented: 11th September 2001.

Finance and Economics Committee.

States Resource Plan 2001 (P.124/2001): amendments - P.124/2001 Amd.

Lodged: 28th August 2001.
Health and Social Services Committee.

States Resource Plan 2001 (P.124/2001): amendments (P.124/2001 Amd.)- comments P.124/2001 Amd. Com.(2).

Presented: 11th September 2001.
Finance and Economics Committee.

Trinity School: approval of drawings. - P.131/2001.
Lodged: 28th August 2001.
Education Committee.

Woodville Hotel Site, St. Helier: sale of flats- P.123/2001.
Lodged: 7th August 2001.
Housing Committee.

Woodville Hotel Site, St. Helier: sale of flats (P.123/2001)- comments - P.123/2001 Com.
Lodged: 7th August 2001.
Housing Committee.

Draft Agriculture (Poisonous Substances) (Repeal) (Jersey) Law 200- P.125/2001.
Lodged: 14th August 2001.
Employment and Social Security Committee.

Manual Workers' Joint Council Employers' Side membership - P.127/2001.
Lodged: 21st August 2001.
Human Resources Committee.

Public Employees Contributory Retirement Scheme Committee of Management - P.128/2001.
Lodged: 21st August 2001.
Human Resources Committee.

Jersey Financial Services Commission: appointment of Commissioner - P.129/2001.
Lodged: 28th August 2001.
Finance and Economics Committee.
(consideration in camera).

Draft Licensing (Licence Fees) (Jersey) Regulations 200- P.130/2001.
Lodged: 28th August 2001.
Tourism Committee.

Suspension of Standing Order 17(3)

THE STATES, adopting a proposition of Senator Pierre François Horsfall, agreed to suspend Standing Order 17 (3) to enable the States to agree the matters to be considered on 25th September 2001.

Arrangement of public business for the next meeting on 25th September 2001

THE STATES, having rejected a proposition of Senator Stuart Syvret that the Machinery of Government: proposed reforms (P.122/2001) be not considered on 25th September 2001, confirmed that the following matters lodged "au Greffe" would be considered at that meeting -

Machinery of Government: proposed reforms - P.122/2001.
Lodged: 7th August 2001.

Policy and Resources Committee.

Machinery of Government: proposed reforms (P.122/2001) - amendments - P.122/2001 Amd.
Lodged: 28th August 2001.
Senator C.G.P. Lakeman.

Machinery of Government: proposed reforms (P.122/2001) - second amendments - P.122/2001 Amd.(2).
Lodged: 28th August 2001.
Deputy M.E. Vibert of St. Brelade.

Machinery of Government: proposed reforms (P.122/2001) - third amendments - P.122/2001 Amd.(3).
Lodged: 11th September 2001.
Deputy P.N. Troy of St. Brelade.

Machinery of Government: proposed reforms (P.122/2001) - fourth amendments - P.122/2001 Amd.(4).
Lodged: 11th September 2001.
Deputy R.C. Duhamel of St. Saviour.

Machinery of Government: proposed reforms (P.122/2001) - fifth amendments - P.122/2001. Amd.(5).
Lodged: 11th September 2001.
Deputy A.S. Crowcroft of St. Helier.

Draft Gambling (Amendment No. 5) (Jersey) Law 200.
Lodged: 4th September 2001 - P.133/2001.
Gambling Control Committee.

Draft Food and Drugs (Amendment No. 3) (Jersey) Law 2000 (Appointed Day) Act 200 P.134/2001.
Lodged: 11th September 2001.
Health and Social Services Committee.

Draft Matrimonial Causes (Amendment No. 10) (Jersey) Law 2000 (Appointed Day) Act 200 P.136/2001.
Lodged: 11th September 2001.
Legislation Committee.

Draft Health Insurance (Medical Benefit) (Amendment No. 54) (Jersey) Regulations 200 P.138/2001.
Lodged: 11th September 2001.
Employment and Social Security Committee.

THE STATES, adopting a proposition of Senator Pierre François Horsfall, agreed that the meeting of 25th September 2001 should continue on 26th September 2001 and subsequent days, if required, for the purpose of concluding consideration of the proposition concerning the Machinery of Government: proposed reforms (P.122/2001).

Review of the machinery of government: wording of response card - P.26/2001.

THE STATES gave leave to the President of the Policy and Resources Committee to withdraw the Committee's proposition regarding the Review of the machinery of government: wording of response card (P.26/2001 lodged "au Greffe" on 20th March 2001).

**States Resource Plan 2001 - P.124/2001
Report - P.124/2001 Rpt.
Amendments - P.124/2001 Amd.**

THE STATES commenced consideration of the States Resource Plan 2001, and adopted an amendment of the

Health and Social Services Committee that -

in sub-paragraph (i) of paragraph (a) for the figure £375,319,000 there should be substituted the figure £377,106,000; and

in paragraph (b) for the figure £359,199,000 there should be substituted the figure £360,986,000 and after the date 2002 there should be inserted the words 'except that the total net revenue expenditure for the Health and Social Services Committee shall be £103,239,000'.

Members present voted as follows -

“Pour” (24)

Senators

Stein, Syvret, Kinnard, Le Claire, Lakeman.

Connétables

St. Helier, St. Clement, St. Mary, St. John, St. Peter.

Deputies

S. Baudains(H), Trinity, Breckon(S), St. Martin, St. John, Le Main(H), Crowcroft(H), St. Ouen, Sc Warren(S), Farnham(S), Le Hérisier(S), Fox(H), Bridge(H), Martin(H).

“Contre” (23)

Senators

Horsfall, Quérée, Norman, Walker.

Connétables

St. Martin, St. Ouen, Trinity, St. Saviour, St. Brelade, St. Lawrence.

Deputies

H. Baudains(C), St. Mary, Duhamel(S), Layzell(B), Grouville, Vibert(B), St. Peter, Dubras(L G. Baudains(C), Dorey(H), Troy(B), Voisin(L), Ozouf(H).

United States of America terrorist atrocities

Senator Pierre François Horsfall informed members of the terrorist atrocities that had occurred in the United States of America during the afternoon. The Deputy Bailiff advised the States that the Bailiff had sent a letter in the following terms to the Ambassador to the United States of America in London -

“Islanders have heard with shock and disbelief the appalling news of terrorist atrocities committed in the United States today. I am sending you, on behalf of the States and people of Jersey, our heartfelt sympathy to all citizens of your country, but in particular, those families that have suffered such grievous loss.”

In the light of the tragic events Senator Pierre François Horsfall proposed that the States should adjourn.

Adjournment

THE STATES then adjourned having agreed to continue consideration of the States Resource Plan 2001 and the outstanding items of public business at the next meeting on 18th September 2001.

Changes in Presidency

The Bailiff retired from the Chair during consideration of the amendment of the Health and Social Services Committee to the States Resource Plan 2001 and the meeting continued under the Presidency of the Deputy Bailiff.

THE STATES rose at 5.10 p.m.

M.N. DE LA HAYE

Deputy Greffier of the States.